

ORGANIZATION OF AMERICAN STATES
GENERAL ASSEMBLY



THIRTY-EIGHTH REGULAR SESSION
Medellín, Colombia
June 1–3, 2008

PROCEEDINGS

VOLUME I

AG/DEC. 57 - AG/DEC. 59 (XXXVIII-O/08)
AG/RES. 2354 - AG/RES. 2437 (XXXVIII-O/08)

CERTIFIED TEXTS OF THE DECLARATIONS AND RESOLUTIONS

GENERAL SECRETARIAT
ORGANIZATION OF AMERICAN STATES
WASHINGTON, D.C. 20006

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I hereby certify that this volume contains the official texts of the declarations and resolutions adopted by the General Assembly of the Organization of American States at its thirty-eighth regular session, held in Medellín, Colombia, from June 1 to 3, 2008.

José Miguel Insulza
Secretary General
Organization of American States

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AG/DEC. 57 (XXXVIII-O/08)

DECLARATION OF MEDELLÍN:
YOUTH AND DEMOCRATIC VALUES

(Adopted at the fourth plenary session, held on June 3, 2008)

THE MINISTERS OF FOREIGN AFFAIRS AND HEADS OF DELEGATION OF THE MEMBER STATES OF THE ORGANIZATION OF AMERICAN STATES (OAS), meeting in Medellín, Colombia, on the occasion of the thirty-eighth regular session of the General Assembly,

REAFFIRMING the commitment of the member states to promote and strengthen in the youth of the Hemisphere the values, principles, and practices of a democratic life, including liberty and social justice, progress, respect for human rights in their universality, indivisibility, and interdependence, and the rule of law, pursuant to the Charter of the OAS and the Inter-American Democratic Charter;

RECOGNIZING the right of young people to participate actively and fully in the political, economic, and social spheres of their countries; and reaffirming our commitment to combating poverty, hunger, and social exclusion and to promoting social cohesion, to improve the living conditions of our peoples;

BEARING IN MIND that the Inter-American Democratic Charter emphasizes the importance and proposes the promotion of fundamental democratic values, principles, and practices, in order to foster a democratic culture among new generations;

CONSIDERING the central role of the OAS in the promotion of a democratic culture in the Hemisphere consistent with the principles, practices, and values of the OAS Charter and the Inter-American Democratic Charter, paying special attention to the development of programs for the education of children and youth as a means of promoting and guaranteeing the permanence of democratic values, principles, and practices, including liberty and social justice;

BEARING IN MIND the agreements, mandates, and commitments set forth in the resolutions and declarations adopted by the OAS General Assembly, and the declarations, commitments, and plans of action adopted by the Summits of the Americas, related to the issue of youth and democratic values;

RECALLING:

That in the Plan of Action of the Second Summit of the Americas, held in Santiago, Chile, in April 1998, the Heads of State and Government committed to develop “democratic culture at all levels, in order to teach individuals ethical values, a spirit of cooperation and integrity. To that end, the participation of teachers, families, students and outreach workers will be stepped up in their work related to conceptualizing and implementing the plans for shaping citizens imbued with democratic values”;

That in the Plan of Action of the Third Summit of the Americas, held in Quebec City, Canada, in April 2001, the Heads of State and Government committed to supporting and promoting lifelong learning by offering varied curricula based on skills, knowledge, and civic and democratic values;

That in the Declaration of Nuevo León of the Special Summit of the Americas, held in Monterrey, Mexico, in January 2004, the Heads of State and Government reaffirmed the hemispheric commitment to democracy and reiterated the importance for democratic governance of political training and leadership development of young people; and

That in the Declaration of the Fourth Summit of the Americas, held in Mar del Plata, Argentina, in November 2005, the Heads of State and Government recognized, among other things, the importance of facilitating the integration of youth into the labor market and of expanding coverage and improving the quality of information services and career counseling, as well as the importance of creating opportunities to facilitate access by youth to decent work; and that in the Plan of Action of said Summit they committed to reducing youth unemployment and significantly lowering the percentage of young people who neither study nor work;

TAKING INTO CONSIDERATION:

That the World Programme of Action for Youth to the Year 2000 and Beyond, adopted by the United Nations General Assembly in resolution 50/81, of December 14, 1995, identifies as priority areas education, employment, hunger and poverty, health, environment, drug abuse, juvenile delinquency, leisure-time activities, girls and young women, and the full and effective participation of youth in the life of society and in decision-making;

The need to strengthen initiatives to ensure that the gender perspective is integrated into policies, programs, and projects targeted at youth;

That the promotion of democratic values, including freedom and social justice, as well as the development of knowledge, capacities, and relevant abilities in the young people of the Americas, are essential for their effective integration into the political, economic, and social spheres;

The importance of designing public policy with the joint participation of families and society in order to provide young people with opportunities to develop fully into productive adults, including the design of programs for training, initial employment, and participation in the economic, social, and cultural development process; and

The potential of youth as people imbued with principles and values, and with skills and abilities, capable of shaping more free, just, and democratic societies;

RECOGNIZING:

The importance of youth participation in political activities and public life, including the electoral process, as a key aspect for the promotion and exercise of a democratic culture;

The importance that youth be able to select their training and education on the basis of the exercise of their fundamental freedoms;

That the full exercise of democracy, respect for and the protection and promotion of human rights, and recognition that the individual is at the center of integral development, are essential for the improvement of social conditions and the eradication of poverty;

That democracy and social and economic development are interdependent and mutually reinforcing;

That conditions of poverty, social exclusion, and vulnerability faced by large numbers of young people in the Hemisphere can affect their development for the rest of their lives;

That poverty and social exclusion constitute obstacles faced by a large number of young people in the Hemisphere and that, therefore, economic and social development that offers equality of opportunity, justice, and social inclusion is essential in order to lend dignity to human beings;

That there are a large number of youths who neither study nor work, that very often the jobs they do find are precarious, and that high levels of youth unemployment are a concern and contribute to their situation of social vulnerability;

The importance of family as a basic nucleus of society for the integral development of young people in their socialization and civic education process;

That free and independent media are fundamental for democracy and for the promotion of pluralism, tolerance, and freedom of thought and expression, and to facilitate dialogue and debate, free and open to youth and all other segments of society, without discrimination of any kind;

That the mass media have an important role to play in educating young people in a spirit of peace, tolerance, justice, freedom, and mutual respect, so as to promote human rights, and the right of young people to access to information from independent, plural, and diverse sources; and

That access to information and the exchange and creation of knowledge are important elements of a free, democratic, and pluralistic society, and that the use of the Internet and the World Wide Web, without political censorship, can contribute to the development of a democratic future, the exercise of the right to freedom of expression, and the free flow of information and ideas for the youth and for all the peoples of the Americas, a basic premise of knowledge-based societies;

RECALLING that the Inter-American Program on Education for Democratic Values and Practices was adopted at the Fourth Meeting of Ministers of Education within the framework of CIDI (Inter-American Council for Integral Development), held in Scarborough, Trinidad and Tobago, from August 10 to 12, 2005, in order to promote a democratic culture through education, both formal and non-formal;

BEARING IN MIND:

The work carried out by the Inter-American Children's Institute, particularly the promotion of democratic principles, values, and practices;

That the Third Inter-American Meeting of Ministers of Culture and Highest Appropriate Authorities within the Framework of CIDI recognized the importance of preserving and presenting

the diverse cultural expressions of the peoples of the Americas as a substantial factor in promoting social cohesion and inclusion and sustainable economic development;

The OAS Youth Symposium “Empowering the Future Leaders of the Americas,” and the special meeting of the Permanent Council, held on September 19 and 20, 2007, respectively, at OAS headquarters, which were decisively supported by youth participants of the Hemisphere; and taking note of the views expressed to the Permanent Council by the participants;

That 2008 marks the 16th anniversary of the Ibero-American Youth Organization, the 23rd anniversary of the International Youth Year (IYY), declared as such by the United Nations, the 13th anniversary of the United Nations World Programme of Action for Youth, and the 10th anniversary of the OAS Program for the Promotion of Democratic Leadership and Citizenship (PROLIDEM);

That 2008 has been designated “Ibero-American Youth Year” within the framework of the XVIII Ibero-American Summit of Heads of State and Government, to be held in San Salvador, El Salvador, which will focus on the central theme “Youth and Development”; and

The importance of fostering youth solidarity through young people’s participation in voluntary humanitarian activities, including both hunger and poverty reduction and emergency and risk-management situations in cases of disasters, regardless of whether such activities are promoted by the public sector or sponsored by the private sector or civil society organizations, as a way to strengthen their civic and democratic values;

UNDERSCORING that the Lecture Series of the Americas was created by the Permanent Council of the OAS to promote democratic principles and values in the countries of the Hemisphere, through lectures on topics related to the hemispheric agenda, such as democracy and social development; and

HIGHLIGHTING the Model OAS General Assembly (MOAS), carried out for the purpose of promoting, among youth, democratic values and a better understanding of the Organization as the main political forum of the Hemisphere,

DECLARE:

1. Their commitment to foster among the youth of the Americas the values set forth in the Charter of the Organization of American States (OAS) and the Inter-American Democratic Charter, so as to strengthen their political, social, and economic participation in the framework of a democratic society.

2. That a young citizenry committed to democratic values can strengthen relations among the peoples of the Hemisphere, based on mutual respect, fraternity, cooperation, solidarity, the acceptance of diversity, tolerance, and peace.

3. That respect for and the protection and promotion of human rights and fundamental freedoms of young people in the Americas are essential for the consolidation of democracy and the development of our peoples.

4. Their commitment to move forward in the promotion and observance of the economic, social, and cultural rights of young people, which are inherently linked to integral development, equitable economic growth, and the consolidation of democracy.

5. Their conviction that education and employment constitute priority areas, among others, for young people and strengthen democratic culture and values.

6. Their pledge to combat all forms of discrimination against youth, for reasons, among others, of race, color, sex, language, religion, political or other opinion, national or social origin, economic status, birth, or any other condition, and to promote the participation of young leaders from groups in vulnerable situations, including, among others, indigenous youth and persons of African descent, in the dynamics of development and democratic participation.

7. That to build free and responsible public opinion among youth it is necessary to promote and defend freedom of thought and expression, including the freedom to seek, receive, and impart information and ideas, as well as freedom of the press, and to support the access of youth to uncensored information and political debate.

8. Their resolve to develop and encourage strategies and best practices that enhance the possibility of youth to engage actively in the exchange of opinions, including political discourse, through the Internet or other technological communications media, guaranteeing freedom of investigation, of opinion, and of the expression and dissemination of ideas, as essential components of the knowledge-based society.

9. That they attach priority to incorporating youth issues as a crosscutting component in sectoral public actions and policies, for example, through multisectoral programs of action for youth, as appropriate.

10. The importance of promoting the design of strategies, programs, and policies that involve young people in activities that take their interests and needs into account.

11. Their commitment to promote formal and non-formal education in democratic values and practices in order to develop knowledge and skills among the young population to prepare them for life in a democratic society and the full enjoyment of their human rights and fundamental freedoms.

12. Their commitment to provide access by all young people in the Hemisphere to quality and continuous education.

13. The importance of creating awareness among the young population of the value of the educational experience.

14. That they recognize the contribution of young people to sustainable development and express their commitment to foster among them, through formal and non-formal education and public information, a culture that promotes environmental protection as an element that contributes to strengthened democratic and civic values.

15. That they reaffirm their commitment to continuing to improve the coverage and quality of education, both formal and non-formal; to broadening opportunities for access to higher education; to promoting efforts to dissuade young people from dropping out of school; and to boosting professional training and vocational programs, paying particular attention to the more vulnerable segments of the population, with a view to achieving their incorporation into the labor market and the full exercise of their rights and responsibilities as citizens.

16. That the technical and pedagogical training of teachers and administrators of vocational and technical education makes a very positive contribution to raising the level of skills and schooling of youth and adults, thereby increasing their ability to join the workforce; and that this initiative requires the implementation of projects that contribute to the development of educational policies, programs, and practices suited to the circumstances of each country.

17. Their commitment to promote public policies, programs, and projects that will enhance employability and increase equal opportunity, entrepreneurship, and job creation for the youth of the Hemisphere, so that all of them may achieve decent work and quality jobs, bearing in mind the recommendations of the International Labour Organization (ILO) regarding child labor.

18. The importance of coordinating with the private and academic sectors on developing initiatives for programs and projects for youth.

19. Their commitment to urge the private sector to develop initiatives aimed at offering employment opportunities to youth, as well as instilling in them an entrepreneurial spirit.

20. Their commitment to develop social policies and programs that facilitate access by youth, especially those working in the informal sector, to microcredit and microfinance.

21. The importance that productive organizations, in accordance with each country's characteristics, such as cooperatives and other forms of production, can have for youth, bearing in mind the contributions of these organizations to the economy and to the creation of decent jobs.

22. Their commitment to develop plans and programs to strengthen the training and skills development of young people living in rural areas in the agricultural sciences, including livestock sciences and any others that may be necessary, with a view to creating jobs and helping to increase agricultural production in the Hemisphere.

23. Their commitment to guarantee youth the conditions necessary to live in peace, generating and expanding, as appropriate, forums for dialogue, in order to make them participants in the promotion and building of a culture of peace.

24. Their commitment to promote a favorable economic, social, and cultural environment, enabling young people to develop fully and remain in their places of origin, in order to avoid migration by necessity or for economic reasons and, as appropriate, facilitate their return and their reintegration into their countries of origin.

25. Their commitment to promote joint efforts aimed at guaranteeing observance of the human rights of young migrants, irrespective of their migration status, especially those who find themselves subjected to racial and other forms of discrimination, and cruel or degrading treatment,

and to promote orderly migration and support for migrant programs that enable young migrants to become socially integrated into receiving countries, as well as to promote respect for the cultural identity of migrant youth.

26. Their commitment to promote and implement strategies, policies, programs, and concrete measures designed to foster education for democracy, in particular for youth and women, and to increase support to civil society, especially to facilitate citizens' engagement in policy-making processes and in the provision of civic and democracy education.

27. Their commitment to promote favorable conditions for full and effective political participation by young people conscious of their rights and responsibilities, and able and willing to become involved in decisions relating to their own development, thereby consolidating democracy in the Hemisphere.

28. That the participation of young people in decisions relating to their own development is a right and a responsibility, which makes them necessary actors in the formulation, implementation, and evaluation of public policies and gives them an important role in the fulfillment of the development goals of the United Nations Millennium Declaration.

29. The importance of creating or strengthening leadership programs for young people so that they may become promoters of civic and democratic values in their families and communities, in order to generate healthy and safe environments for their development.

30. That they pledge to promote greater participation and inclusion of young people in public affairs and civil society activities by ensuring favorable conditions, including, among others, in electoral observation processes, social volunteering activities, community-based programs, and activities related to the protection of the environment.

31. That they will encourage the creation of independent youth organizations and youth participation in political processes that enable them, collectively and democratically, to voice their ideas and expectations in society.

32. Their commitment to encourage the participation of youth in electoral processes and to strengthen their involvement in these processes by making them more responsive to young people's needs and expectations, by reducing barriers, and by improving accessibility.

33. The importance of promoting the effective exercise of, and respect for, the right to identity of youth, especially through the universalization of civil registry, which is essential to the full exercise of their civil, political, economic, social, and cultural rights, as well as their participation in a democratic society.

34. Their commitment to promote, protect, and ensure, in conditions of equality, respect for the human rights of youth with disabilities, as well as to combat all forms of discrimination and promote the elimination of all types of obstacles and barriers to their development and their full inclusion in society, facilitating the exercise of their rights and duties as citizens in a framework of democratic values and principles.

35. That, bearing in mind the positive impact of cultural activities, including cultural industries, they will endeavor to develop policies that strengthen in youth a recognition of, and appreciation and respect for, the value of cultural diversity, tangible and intangible cultural and historical heritage, including popular customs, and the contributions, *inter alia*, of indigenous people, as well as of persons of African descent and minority communities, and policies that generate greater understanding of the relationships among culture, development, and education, as factors that contribute to the strengthening and promotion of democratic values.

36. Their commitment to adopt policies and programs to ensure the social, economic, and cultural inclusion of young people, bearing in mind their vulnerability to diverse problems such as poverty, crime in all its forms, violence, drug addiction, illicit drug use, trafficking in persons, high drop-out rates, and unemployment, and to increase the quality and coverage of social services aimed at improving the quality of life of youth and promoting healthy lifestyles.

37. That, considering the problem of youth involved in criminal activities, it is important to establish programs that focus on prevention and emphasize their full reintegration into society through, among other things, rehabilitation support services and education policies. In addition, measures should be taken to ensure due process and, as applicable, decent conditions of detention, within the framework of full respect for their human rights.

38. Their commitment to strengthen cooperation in the fight against trafficking in persons and the smuggling of migrants, promoting public awareness and prevention campaigns aimed at educating youth on the dangers of criminal networks and providing protection and assistance to the young victims.

39. Their commitment to pay special attention to those aspects of the physical, mental, and social well-being of young people necessary for their full integration and participation in society, such as access to basic health care, including, among other things, sexual and reproductive health, prevention and treatment of HIV/AIDS, and prevention, treatment, and rehabilitation programs related to illicit drug use, the prevention of early pregnancy, and the elimination of all forms of violence, including gender-based violence, sexual exploitation of young people, and child prostitution.

40. That they call on member states to promote programs to expand young people's training in, and access to, the use of information and communication technologies, in order to reduce the digital divide and the knowledge gap that affect them and to strengthen their democratic participation in political, economic, social, and cultural forums.

41. That they urge member states to promote programs to motivate young people to participate in science and technology, as a means of fostering technological innovation and scientific development.

42. That they welcome the holding of the XVIII Ibero-American Summit of Heads of State and Government, to take place in El Salvador in October 2008, with the central theme of "Youth and Development," which will generate further initiatives and results to benefit the youth of the region.

43. That they request that the OAS General Secretariat, in collaboration with the member states and in accordance with available financial resources and applicable rules and procedures in this regard:

- a. To promote greater participation by youth in the activities established by the Inter-American Program on Education for Democratic Values and Practices, which contributes to strengthening democratic culture through formal and non-formal education; developing and strengthening teaching methods for that purpose; fostering a culture of respect for human rights and peace, with a focus on equality and cultural pluralism; and promoting horizontal cooperation and the exchange of experiences among the different entities active in this area internationally, regionally, nationally, subnationally, and locally, as appropriate;
- b. To develop a regional information and evaluation system on the status of citizenship competencies, in coordination with the Regional System for Evaluation and Development of Citizenship Competencies and other entities that are carrying out pertinent similar initiatives, in order to share best practices in education for democratic values and to identify opportunities for horizontal cooperation among governments, educational institutions, and civil society;
- c. To support the training of young people for more effective and efficient participation in the diverse sectors of society;
- d. To continue promoting the Lecture Series of the Americas as a means of fostering democratic principles and values among young people of the Hemisphere;
- e. To continue promoting the holding of Model OAS General Assembly (MOAS) sessions in the countries of the Hemisphere, to foster in young people negotiation, leadership, and communication skills—essential components for life under democracy;
- f. To mainstream the youth perspective into the programs and activities of the OAS, in particular, activities that focus on the promotion of democratic principles and values;
- g. To identify a Focal Point on Youth within the General Secretariat to facilitate the coordination of all OAS initiatives relating to the youth agenda, and to report annually to the Permanent Council on the progress of these initiatives;
- h. To organize annually at OAS headquarters a Youth Week, which may be held in conjunction with the OAS Model General Assembly;

- i. To contribute to the consolidation of a hemispheric vision for policies and programs designed to secure and promote young people's rights and thereby advance the integration and social cohesion of young people;
- j. To support the work of national, state, provincial, and local protective services or other competent authorities, as appropriate, to strengthen, *inter alia*, protection of the rights of young people; and
- k. To support the exchange of best practices in the Hemisphere in research into problems affecting youth and their possible solutions, with the participation of institutions working in this field.

44. That they request the Permanent Council and the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI) to consider convening an Inter-American Meeting of Ministers and Highest Authorities responsible for Youth before the fortieth regular session of the General Assembly, to be held in 2010.

AG/DEC. 58 (XXXVIII-O/08)

DECLARATION ON THE QUESTION OF THE MALVINAS ISLANDS

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

CONSIDERING its repeated statements that the Question of the Malvinas Islands is a matter of enduring hemispheric concern;

RECALLING its resolution AG/RES. 928 (XVIII-O/88), adopted by consensus on November 19, 1988, in which it requested the Governments of the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland to resume negotiations in order to find, as soon as possible, a peaceful solution to the sovereignty dispute;

BEARING IN MIND that in its resolution AG/RES. 1049 (XX-O/90), it expressed satisfaction over the resumption of diplomatic relations between the two countries;

RECOGNIZING that the accreditation of the United Kingdom of Great Britain and Northern Ireland, under resolution CP/RES. 655 (1041/95), as a permanent observer of the Organization of American States (OAS) reflects principles and values shared by that country and OAS member states, which facilitate greater mutual understanding;

NOTING with satisfaction that the Governments of the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland maintain important political, cultural, and trade ties, share common values, and are also engaged in close cooperation both bilaterally and in international forums;

BEARING IN MIND that, despite those ties and shared values, it has not yet been possible to resume the negotiations between the two countries with a view to solving the sovereignty dispute over the Malvinas Islands, South Georgia and South Sandwich Islands and the surrounding maritime areas in the framework of resolutions 2065 (XX), 3160 (XXVIII), 31/49, 37/9, 38/12, 39/6, 40/21, 41/40, 42/19, and 43/25 of the United Nations General Assembly, the decisions adopted by the same body on the same question in the Special Committee on Decolonization, and the repeated resolutions and declarations adopted by this General Assembly; and

HAVING HEARD the presentation by the head of delegation of the Argentine Republic,

WELCOMES the reaffirmation of the will of the Argentine Government to continue exploring all possible avenues towards a peaceful settlement of the dispute and its constructive approach towards the inhabitants of the Malvinas Islands.

REAFFIRMS the need for the Governments of the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland to resume, as soon as possible, negotiations on the sovereignty dispute, in order to find a peaceful solution to this protracted controversy.

DECIDES to continue to examine the Question of the Malvinas Islands at its subsequent sessions until a definitive settlement has been reached thereon.

AG/DEC. 59 (XXXVIII-O/08)

RECOGNITION OF THE NATIONAL SYSTEM OF VENEZUELAN YOUTH AND
CHILDREN'S ORCHESTRAS AND PROMOTION OF CULTURAL INITIATIVES FOR YOUTH

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

TAKING INTO ACCOUNT the value of cultural training for children and youth, including music and the plastic arts, as tools for the development of their personalities and for social inclusion;

CONSIDERING:

That the State Foundation for the National System of Venezuelan Youth and Children's Orchestras is a cultural institution of the Government of Venezuela, dedicated to the pedagogical, occupational, and ethical well-being of children and youth, through the teaching and collective practice of music to the highest standards, and to the prevention, training, and rehabilitation of groups that are especially vulnerable because of their age and socioeconomic circumstances;

That the National System of Venezuelan Youth and Children's Orchestras constitutes a novel and pioneering initiative that has so far provided musical education to more than one million children and young people, nationally and internationally. It has become a social inclusion and social development project that is very well known both within and outside Venezuela;

That the activities of the system of orchestras interacts with the community through cooperation and the exchange and cultivation of pivotal values that help transform children, youth, and the family environment;

That the State Foundation for the National System of Venezuelan Youth and Children's Orchestras enjoyed the support—in the 1990s and for several consecutive years—of the Organization of American States (OAS), through the Inter-American Culture Program, which included a financial contribution toward the consolidation of the youth and children's orchestras program in several countries in the Hemisphere; and

That the State Foundation for the National System of Venezuelan Youth and Children's Orchestras has received support from the Inter-American Development Bank (IDB) to build the Latin American Social Action Center for Music; and

RECOGNIZING:

That the State Foundation for the National System of Venezuelan Youth and Children's Orchestras received the 1993/1994 UNESCO International Music Prize;

That Dr. José Antonio Abreu, founder of the National System of Venezuelan Youth and Children's Orchestras, received, in recognition for his work and dedication to youth and children, the

1995 “Gabriela Mistral” Inter-American Prize for Culture, awarded by the OAS, the 2001 Right Livelihood Award, and the 2005 UNICEF Prize; and

That the National System of Venezuelan Youth and Children’s Orchestras received the 2008 Prince of Asturias Award for the Arts, “for having combined, within a single project, the highest artistic quality and a profound ethical conviction applied for the improvement of our social reality,”

DECLARES:

1. Its recognition of the excellent work and successful experience of the National System of Venezuelan Youth and Children’s Orchestras at both the national and the international level, as well as of similar efforts by youth and children’s orchestras in numerous countries of the Hemisphere.

2. Its decision to promote the development of similar initiatives in the different countries of the Hemisphere, as a contribution to the personal–intellectual, spiritual, cultural, social, and professional – development of children and youth in our Hemisphere, driven by the desire to achieve highest standards.

3. Its decision to recommend to the Permanent Council and to the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI) that they convene a joint special meeting in recognition of the National System of Venezuelan Youth and Children’s Orchestras, within the resources available in the program-budget of the Organization and other resources.

4. The need to continue supporting and strengthening initiatives in the arts and culture aimed at the social inclusion and development of the children and youth of our countries.

AG/RES. 2354 (XXXVIII-O/08)

MULTILATERAL EVALUATION MECHANISM (MEM) OF THE
INTER-AMERICAN DRUG ABUSE CONTROL COMMISSION

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

HAVING SEEN the 34 national reports of the Multilateral Evaluation Mechanism (MEM) covering the Fourth Evaluation Round 2005-2006, approved by the Inter-American Drug Abuse Control Commission (CICAD) at its forty-second regular session, and the MEM Hemispheric Report covering the same evaluation period, approved by CICAD at its forty-third regular session; and

REAFFIRMING its commitment to the MEM as an objective instrument for measuring the progress made by member states in controlling the illicit drug problem, identifying vulnerabilities and areas for improvement, and strengthening hemispheric solidarity and cooperation,

RESOLVES:

1. To note with satisfaction the approval by the Inter-American Drug Abuse Control Commission (CICAD) at its forty-second regular session of the 34 national reports and, at its forty-third regular session, of the Hemispheric Report of the Multilateral Evaluation Mechanism (MEM) covering the Fourth Evaluation Round 2005-2006; and to endorse those reports and their recommendations.

2. To thank the National Coordinating Entities (NCEs) and all national institutions providing information to the MEM process; and to urge them, in order to facilitate the work of the Governmental Expert Group (GEG), to provide the qualitative information needed during the phase of follow-up on recommendations of the Fourth Evaluation Round, complying with the MEM deadlines.

3. To recognize the work of the GEG in the MEM evaluation process; and to encourage it to continue this important evaluation process.

4. In accordance with the preparatory work done thus far, to convene the CICAD Intergovernmental Working Group (IWG) to meet in the second half of 2008 and in the first half of 2009 to review and strengthen the MEM before the Fifth Evaluation Round.

5. To recommend to member states that they promote the MEM as the Hemisphere's only multilateral evaluation mechanism on the drug problem, and:

- a. At the national level: that through their appropriate authorities, they disseminate the MEM national reports and the Hemispheric Report to their legislatures and government institutions, the media, and civil society; and

- b. At the international level: that they work to ensure that the MEM information is considered in the regional evaluation conducted in the framework of the twentieth special session of the United Nations General Assembly (XX UNGASS).

6. Also to recommend to member states that they make every effort, to the extent of their capabilities, to implement the recommendations contained in the national reports of the MEM.

7. To instruct the Executive Secretariat of CICAD:

- a. To work proactively with the member states to strengthen the work of the MEM;
- b. To continue to provide technical assistance, training, and support to the member states in their efforts to implement the recommendations made to them through the MEM process; and
- c. To disseminate widely the Hemisphere's achievements and experiences over the 20 years since the entry into force of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, signed in Vienna in 1988, and the 10 years of the XX UNGASS process.

8. To request the General Secretariat to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2355 (XXXVIII-O/08)

SUPPORT FOR ACTION AGAINST ANTIPERSONNEL MINES IN ECUADOR AND PERU

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

HAVING SEEN:

The Annual Report of the Permanent Council to the General Assembly (AG/doc.4820/08), in particular the section on matters assigned to the Committee on Hemispheric Security; and

The report of the General Secretariat on the implementation of resolution AG/RES. 2181 (XXXVI-O/06), "Support for Action against Antipersonnel Mines in Ecuador and Peru" (CP/CSH/INF.126/07);

RECALLING resolution AG/RES. 1644 (XXIX-O/99), operative paragraph 12, which urged member states and permanent observers to provide assistance to the national mine-clearing programs being carried out by Ecuador and Peru in their territories;

AWARE that the presence of land mines in border areas between the two countries and in the vicinity of power grids in Peru constitutes a serious threat to civilian populations and stands in the way of economic development in rural and urban areas; and that their elimination constitutes an obligation and prerequisite for the development and integration of peoples, especially in border areas, and helps to consolidate a common strategy for combating poverty;

RECOGNIZING the progress made by Ecuador and Peru in mine-clearing, the destruction of stockpiles, and measures to enhance transparency, and the special importance of humanitarian demining when it is carried out in a joint and consolidated fashion, as in the case of the work being done by the Governments of Ecuador and Peru in their common border area, which has resulted in information exchange and levels of cooperation that constitute an effective mutual confidence-building measure and an avenue toward further integration of their peoples;

AFFIRMING that humanitarian demining contributes to sustainable social and productive development of the border area between Ecuador and Peru, fosters an improved quality of life for population groups living on either side of the border, and facilitates the inclusion of those groups in economic integration programs and activities;

EMPHASIZING that the demining process that Ecuador and Peru are conducting is unprecedented at the regional and international levels, is based upon the peace agreements signed by the two countries in Brasilia in 1998, and constitutes a mutual confidence-building measure and a contribution to international peace;

NOTING WITH SATISFACTION that humanitarian demining in Ecuador and Peru contributes to fulfillment of the commitments assumed by both countries under the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction (Ottawa Convention);

NOTING the corresponding humanitarian demining efforts, as well as the awareness campaigns and assistance to victims in both countries; and

RECOGNIZING:

The firm resolve of Ecuador and Peru to honor the commitments undertaken pursuant to the Ottawa Convention;

The complete elimination of antipersonnel mine stockpiles in Ecuador and Peru through assistance under the “Managua Challenge” Fund;

The continued humanitarian demining operations in the Ecuador-Peru border area, the identification of mined areas, the performance of impact studies, the education and awareness campaigns, and the assistance to victims, all of which have made it possible to further humanitarian demining in the Zarumilla River area, in the border area of El Oro-Tumbes and Loja-Piura, and in the vicinity of the Chira River, Zapotillo sector (Ecuador) and Pampa Larga (Peru), as well as in the Province of Morona Santiago (Ecuador) and the Department of Amazonas (Peru);

The cooperation provided by member states, permanent observers, and other countries to national efforts in Ecuador and Peru to forge ahead with their mine-clearing programs;

The financial cooperation extended for this undertaking by various European countries and countries of the Americas, which will allow both countries to continue their concerted action against antipersonnel mines in a region of special social and ecological importance;

The work of coordination, promotion, and fundraising, as well as the advisory services offered by the General Secretariat, through the Program for Comprehensive Action against Antipersonnel Mines (AICMA), which is devoted to humanitarian mine-clearing, the physical and psychological rehabilitation of victims and their families, prevention education, and the social and economic reclamation of demined areas;

The technical advice of the Inter-American Defense Board (IADB), through the appointment of international monitors from Brazil, Chile, Honduras, and Nicaragua;

The importance attached by the international community to the humanitarian demining process in the Ecuador-Peru border area, which is considered an effective and objective way to promote mutual confidence and, therefore, a contribution to world peace;

The spirit of bilateral cooperation prevailing between the presidents of Ecuador and Peru, who decided at the First Meeting of Presidents and Cabinet Ministers, held in Tumbes on June 1, 2007, that implementation of the 1998 peace agreements, one of whose components is humanitarian demining, was a state policy;

That the ministers of foreign affairs and the ministers of national defense of both countries decided, at working meetings held in Lima on July 6, 2007, and on February 18 and 19, 2008, in the framework of what is known as the “2 + 2 mechanism,” to promote and strengthen the joint Ecuador-Peru humanitarian demining process; and

The Joint Communiqué signed by Ecuador and Peru on October 11, 2006, in the presence of high-level representatives of the European Union, the OAS AICMA Program, and the IADB, in the context of the visit by their delegations, on October 10, 2006, to an area of humanitarian demining operations jointly executed and coordinated in the Condor Mountain Range,

RESOLVES:

1. To recognize the important work and achievements of the Governments of Ecuador and Peru in destroying their stockpiles and in mine-clearing in common border areas and, in the case of Peru, in other areas of its respective territory, as well as in promoting education on the risks posed by antipersonnel mines in order to reduce accidents.

2. To encourage the Governments of Ecuador and Peru to continue cooperating in efforts to rid their territories completely of antipersonnel mines, as an innovative confidence- and security-building measure.

3. Also to encourage the Governments of Ecuador and Peru to continue mine-clearing operations on the border, so that the border area may be free of antipersonnel mines within the time frame estimated by the two countries, with technical advice from the Program for Comprehensive Action against Antipersonnel Mines (AICMA) and the Inter-American Defense Board (IADB).

4. To urge member states, permanent observers, international organizations, and the international community in general to continue providing technical and financial support for continuation of the joint humanitarian demining program in Ecuador and Peru, which is a successful example of international cooperation in this area.

5. To renew the mandate given to the General Secretariat to continue to work, through the OAS AICMA Program, on identifying and raising voluntary financial contributions from member states, permanent observers, other states, and donor organizations for the mine-clearing and comprehensive action programs against antipersonnel mines carried out by Ecuador and Peru in their respective territories, and to continue to cooperate on programs in Ecuador and Peru to support comprehensive action against antipersonnel mines, including humanitarian mine-clearing, the physical and psychological rehabilitation of victims and their families, prevention education, and the social and economic reclamation of demined areas.

6. To request the Permanent Council and the General Secretariat to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2356 (XXXVIII-O/08)

MIGRANT POPULATIONS AND MIGRATION FLOWS IN THE AMERICAS

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

RECALLING resolutions AG/RES. 2248 (XXXVI-O/06) and AG/RES. 2326 (XXXVII-O/07), “Migrant Populations and Migration Flows in the Americas”;

RECALLING WITH SATISFACTION the decision taken by the Permanent Council of the Organization of American States (OAS) at its meeting of October 24, 2007, to establish the Special Committee on Migration Issues to analyze migration issues and flows from an integral perspective, taking into account the relevant provisions of international law, especially international human rights law;

RECALLING the important work of the OAS in promoting and protecting the human rights of migrant workers and their families;

RECALLING ALSO the adoption, by resolution AG/RES. 2141 (XXXV-O/05), of the Inter-American Program for the Promotion and Protection of the Human Rights of Migrants, Including Migrant Workers and Their Families;

CONSIDERING the importance of continuing the discussion and analysis of human migration, regular and irregular, and migration flows in the Americas and their causes and impact on all member states of the OAS;

RECOGNIZING that migration is also a reflection of the processes of integration and globalization, and a phenomenon that should be examined from a multilateral and multidimensional perspective, integrating a gender perspective;

RECOGNIZING ALSO that all OAS member states are countries of origin, transit, and destination of migrants, and the social and economic importance of migration in the member states;

TAKING INTO ACCOUNT that these migration flows will very likely increase as a result of various social, economic, political, and demographic factors, including migration resulting from subregional integration efforts;

TAKING NOTE of the comments and recommendations of the panelists of the Special Forum on Migration Issues, held on April 17, 2008, and attended by high officials, government experts, and international, regional, and civil society organizations; and

TAKING NOTE ALSO of the results of the special meeting of the Committee on Juridical and Political Affairs (CAJP) on implementation of the Inter-American Program for the Promotion and Protection of the Human Rights of Migrants, Including Migrant Workers and Their Families, held on March 7, 2008, pursuant to resolution AG/RES. 2289 (XXXVII-O/07),

RESOLVES:

1. To welcome the initial work that the Special Committee on Migration Issues (CEAM) has been doing to analyze migration issues and flows from an integral perspective, taking into account the relevant provisions of international law, especially international human rights law.

2. To express gratitude for the presentations given as a result of the activities planned in the CEAM context on, among other topics, migration and remittances, health, communications media, security, best practices, human smuggling and trafficking, children, gender, human rights, labor, culture, and cooperation; and to invite member states to consider implementing the recommendations they deem most appropriate that emerged from the Special Forum on Migration Issues, held on April 17, 2008.

3. To recognize the adoption of the Work Plan of the CEAM, at the meeting of March 13, 2008; and to encourage the Committee to continue to fully engage states in the process of planning and executing activities.

4. To reaffirm the importance of having a migration data matrix; and to thank the member states for their contributions to the sharing of information and best practices in relation to their existing legal frameworks, regulations, policies, and programs, especially the Migration Information System of the Americas.

5. To request the Organization of American States (OAS) to consider the possibility of linking its efforts in this area with those of regional migration consultative processes, such as those of the Regional Conference on Migration (RCM or "Puebla Process"), the South American Conference on Migration, and MERCOSUR.

6. To encourage member states to continue discussing their experiences and providing information to the General Secretariat on their existing legal frameworks, regulations, policies, and programs.

7. To urge the CEAM to continue its work and to instruct the Permanent Council to undertake an evaluation of the same in the second quarter of 2010.

8. To request the Permanent Council to report to the General Assembly at its thirty-ninth and fortieth regular sessions on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2357 (XXXVIII-O/08)

FOLLOW-UP TO THE SPECIAL CONFERENCE ON SECURITY

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.4820/08), in particular the section on the matters entrusted to the Committee on Hemispheric Security;

RECALLING the decisions of the Second Summit of the Americas (Santiago, 1998), the Third Summit of the Americas (Quebec City, 2001), the Special Conference on Security (Mexico City, 2003), the Special Summit of the Americas (Monterrey, Mexico, 2004), and the Fourth Summit of the Americas (Mar del Plata, Argentina, 2005), as well as the mandates issued in General Assembly resolutions related to the Special Conference on Security, especially resolution AG/RES. 2274 (XXXVII-O/07), "Follow-up to the Special Conference on Security"; and the Hemispheric Plan of Action against Transnational Organized Crime, adopted by the Permanent Council [CP/RES. 908 (1567/06)];

RECALLING ALSO that the Declaration on Security in the Americas establishes that "[o]ur new concept of security in the Hemisphere is multidimensional in scope, includes traditional and new threats, concerns, and other challenges to the security of the states of the Hemisphere, incorporates the priorities of each state, contributes to the consolidation of peace, integral development, and social justice, and is based on democratic values, respect for and promotion and defense of human rights, solidarity, cooperation, and respect for national sovereignty";

REAFFIRMING the commitment to revitalize and strengthen the organs, institutions, and mechanisms of the inter-American system related to the various aspects of hemispheric security, to achieve greater coordination and cooperation among them, within their areas of competence, in order to improve the ability of the states of the Americas to meet the traditional threats, as well as the new threats, concerns, and other challenges to hemispheric security;

RECALLING that, in 2006, the General Assembly established the Inter-American Defense Board (IADB) as an entity of the Organization, in fulfillment of paragraph 49 of the Declaration on Security in the Americas, and adopted the Statutes of the IADB, which, *inter alia*, define its legal and institutional relationship with the Organization of American States (OAS);

UNDERSCORING the Second Conference of States Party to the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA), held in Mexico City on February 20 and 21, 2008, at which the states parties adopted the Tlatelolco Commitment, which will help combat new threats in accordance with the Declaration on Security in the Americas; and

WELCOMING WITH SATISFACTION the measures and actions undertaken by the organs, agencies, and entities of the OAS in order to implement the Declaration on Security in the Americas, which were presented at the meeting of the Committee on Hemispheric Security on preparations for the commemoration of the fifth anniversary of the Declaration on Security in the Americas, held in Washington, D.C., on February 25, 2008, as well as the work carried out by the Secretariat for Multidimensional Security to follow up on the Special Conference on Security,

RESOLVES:

1. To urge all member states to continue implementing the Declaration on Security in the Americas, with a view to consolidating peace, stability, and security in the Hemisphere.

2. To request the Permanent Council to continue, through the Committee on Hemispheric Security:

- a. Coordinating cooperation among the organs, agencies, entities, and mechanisms of the Organization of American States (OAS) related to the various aspects of security and defense in the Hemisphere, respecting the mandates and areas of competence of each, in order to achieve the application, evaluation, and follow-up of the Declaration on Security in the Americas;
- b. Maintaining the necessary liaison with other institutions and mechanisms, whether subregional, regional, or international, related to the various aspects of security and defense in the Hemisphere, respecting the mandates and areas of competence of each, in order to achieve the application, evaluation, and follow-up of the Declaration;
- c. Requesting, with the periodicity deemed appropriate, reports on measures and action related to implementation of the Declaration from the following inter-American and international bodies:
 - i. OAS organs, agencies, entities, and mechanisms related to the various aspects of security and defense in the Hemisphere; and
 - ii. Other subregional, regional, and international institutions and mechanisms related to the various aspects of security and defense in the Hemisphere;
- d. Conducting an ongoing assessment of the progress achieved in the implementation of the Declaration at the national, subregional, regional, and international levels, taking into account the particular circumstances of each subregion and state, with the participation of the organs, agencies, entities, and mechanisms of the OAS, relevant international and subregional organizations, and, when appropriate, civil society, to be reflected in the annual report of the Permanent Council to the General Assembly;
- e. Preparing, in coordination with the Secretariat for Multidimensional Security and with relevant organs, agencies, and entities of the OAS, including among

others the Inter-American Drug Abuse Control Commission (CICAD), the Inter-American Committee against Terrorism (CICTE), and the Consultative Committee of the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA), coordinated strategies and integrated action plans related to the new threats, concerns, and other challenges to hemispheric security, in accordance with the Declaration on Security in the Americas;

- f. Considering in its work plans and, when appropriate, in developing coordinated strategies and integrated action plans, the recommendations formulated by specialized meetings and conferences of the inter-American system related to the subject of security in the Hemisphere; and
- g. Considering in its work related to the new threats, concerns, and other challenges to hemispheric security, the contributions and cooperation of civil society in this area, where appropriate.

3. To request the Permanent Council to convene, through the Committee on Hemispheric Security, any meetings it deems necessary to enable the member states to coordinate preparations for the commemoration of the fifth anniversary of the Declaration on Security in the Americas, to be held in Mexico in the last quarter of 2008.

4. To request the Permanent Council to convene, through the Committee on Hemispheric Security, a meeting in the last quarter of 2009 to analyze progress made in implementing the Declaration on Security in the Americas by the member states and by the organs, agencies, entities, and mechanisms of the OAS, and to examine the outcomes of the commemoration of the fifth anniversary of the Declaration and build upon lessons learned regarding strengthening its implementation.

5. To request the Permanent Council to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2358 (XXXVIII-O/08)

SUPPORT FOR IMPLEMENTATION AT THE HEMISPHERIC LEVEL OF
UNITED NATIONS SECURITY COUNCIL RESOLUTION 1540 (2004)

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

RECALLING the commitments set forth in resolutions AG/RES. 2333 (XXXVII-O/07) and AG/RES. 2107 (XXXV-O/05), in which member states were urged to fulfill their obligations under United Nations Security Council resolution 1540 (2004) to take and enforce without delay effective measures to establish domestic controls to prevent the proliferation of nuclear, chemical, or biological weapons and their means of delivery, and in which states in a position to do so were encouraged to offer assistance in response to specific requests;

REAFFIRMING the rules and principles of international law embodied in the Charter of the United Nations and the Charter of the Organization of American States (OAS), among other instruments;

BEARING IN MIND United Nations Security Council resolutions 1673 (2006) and 1810 (2008) and the report of the committee established under Security Council resolution 1540 (2004) (the 1540 Committee), of April 2006, in which, *inter alia*, states were invited to provide information on efforts under way to implement resolution 1540 (2004), including planning for measures still pending, in order to achieve full implementation of that resolution;

RECOGNIZING the exchange of views that took place at the meeting of the Committee on Hemispheric Security (CSH) on support for implementation at the hemispheric level of United Nations Security Council resolution 1540 (2004), held on January 31, 2008, in compliance with a mandate issued in resolution AG/RES. 2333 (XXXVII-O/07);

REAFFIRMING member states' commitment to arms control, disarmament, and the nonproliferation of all weapons of mass destruction, and to the principles and norms of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (Chemical Weapons Convention), the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (Biological Weapons Convention), and the 1925 Geneva Protocol to the 1907 Hague Convention;

RECOGNIZING the importance of calling upon member states to work jointly to achieve nonproliferation and disarmament objectives leading to the elimination of all kinds of weapons of mass destruction, so that they do not fall into the hands of non-state actors, and as a guarantee of stronger international peace and security;

REAFFIRMING the necessity that all member states fulfill their obligations with respect to arms control and disarmament and avoid all forms of proliferation of all weapons of mass destruction;

NOTING that the aforementioned meeting of the CSH once again pointed out the role that regional organizations like the OAS could play in promoting the discussion of experiences, disseminating best practices, and helping the states to present more and better reports in compliance with resolution 1540 (2004);

RECALLING that, according to the Statement by the President of the United Nations Security Council of February 23, 2007, said Council is mindful of the need to further explore, with international, regional, and subregional organizations, experience-sharing and lessons learned in the areas covered by resolution 1540 (2004), and the availability of programs which might facilitate implementation of that resolution;

STRESSING the usefulness of promoting the implementation of resolution 1540 (2004) by way of national, subregional, regional, and international seminars, such as those held in Guatemala City in July 2005, in Buenos Aires in September 2005, in Lima in November 2006, in Jamaica in July 2007, and in Mexico City in February 2008, as well as the workshop on nonproliferation controls held at United Nations headquarters in New York in March 2007, which was cosponsored by Chile, all of which demonstrate the commitment of the countries of the Hemisphere to monitor and promote full compliance with the mandates contained in the aforementioned United Nations Security Council resolution; and

STRESSING ALSO the OAS workshop on the implementation of United Nations Security Council resolution 1540 (2004), held in Buenos Aires on May 13 and 14, 2008, in compliance with resolution AG/RES. 2333 (XXXVII-O/07),

RESOLVES:

1. To reiterate that, pursuant to resolution 1540 (2004) of the United Nations Security Council, all states shall refrain from providing any form of support to non-state actors that attempt to develop, acquire, manufacture, possess, transport, transfer, or use nuclear, chemical, or biological weapons and their means of delivery; and that none of the obligations set forth in said resolution shall be interpreted so as to conflict with or alter the rights and obligations of states parties to the Treaty on the Non-Proliferation of Nuclear Weapons, the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (Chemical Weapons Convention), and the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (Biological Weapons Convention), or alter the responsibilities of the International Atomic Energy Agency or the Organization for the Prohibition of Chemical Weapons.

2. To urge member states to provide additional information to the 1540 Committee on efforts under way to implement resolution 1540 (2004), including road maps or action plans, as recommended by the 1540 Committee's report of April 2006.

3. To note with satisfaction the workshop of the Organization of American States (OAS) on the implementation of United Nations Security Council resolution 1540 (2004), held in Buenos Aires on May 13 and 14, 2008, in compliance with resolution AG/RES. 2333 (XXXVII-O/07), which constituted a new hemispheric contribution to the implementation of the aforementioned Security Council resolution.

4. To keep this topic on the agenda of the Committee on Hemispheric Security and to foster increased information-sharing, including with other international, regional, and subregional organizations, on the implementation of resolution 1540 (2004), thus contributing to the efforts of the United Nations.

5. To request that the Permanent Council, through the Committee on Hemispheric Security, support the member states in their implementation of resolution 1540 (2004) by holding a meeting for, *inter alia*, discussing lessons learned and experience gained, identifying specific areas and projects in which assistance is needed, and setting priorities from a hemispheric perspective, as well as receiving the recommendations and conclusions of the aforementioned OAS workshop.

6. To request the Permanent Council to report to the General Assembly at its thirty-ninth and fortieth regular sessions on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2359 (XXXVIII-O/08)

INTER-AMERICAN SUPPORT FOR THE COMPREHENSIVE
NUCLEAR-TEST-BAN TREATY^{1/}

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.4820/08), in particular the section on the Committee on Hemispheric Security;

RECALLING resolutions AG/RES. 1747 (XXX-O/00), AG/RES. 1791 (XXXI-O/01), AG/RES. 1876 (XXXII-O/02), AG/RES. 1938 (XXXIII-O/03), AG/RES. 2008 (XXXIV-O/04), AG/RES. 2111 (XXXV-O/05), AG/RES. 2186 (XXXVI-O/06), and AG/RES. 2273 (XXXVII-O/07), “Inter-American Support for the Comprehensive Nuclear-Test-Ban Treaty”;

RECOGNIZING that the cessation of nuclear-weapon test explosions or any other nuclear explosions constitutes an effective nuclear disarmament and nonproliferation measure; and convinced that this is a meaningful step in the realization of a systematic and gradual process to achieve nuclear disarmament;

AFFIRMING that the Comprehensive Nuclear-Test-Ban Treaty (CTBT) constitutes the cornerstone of the nuclear nonproliferation regime;

WELCOMING the ratification of the Treaty by the Government of Colombia, in particular because it is one of the Annex 2 countries, and by the Governments of The Bahamas and Barbados, which ratified the Treaty in November 2007 and January 2008, respectively;

BEARING IN MIND:

The commitment by nuclear-weapon member states to undertake effective measures aimed at nuclear disarmament, in accordance with Article VI of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), and the unequivocal commitment to the total elimination of their nuclear arsenals to achieve this objective, adopted at the Sixth NPT Review Conference, in 2000;

The consensus declarations from the previous Conferences on Facilitating the Entry into Force of the CTBT (Article XIV Conferences), the most recent of which was held in Vienna in September 2007; and

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1. The United States does not support this resolution. The United States does not support the CTBT and does not intend to become a party to it. The United States will continue to work, as appropriate, with working groups of the CTBTO PrepCom and with its Provisional Technical Secretariat on the International Monitoring Systems (IMS) and IMS-related activities. The United States continues to observe its nuclear testing moratorium and has no plans to conduct a nuclear explosive test.

The valuable contribution of the CTBT to the consolidation and maintenance of international peace and security;

REAFFIRMING the need for universal adoption of the CTBT, negotiated within the United Nations framework;

RECALLING that in the Declaration on Security in the Americas the states of the Hemisphere reaffirmed their commitment to arms control, disarmament, and the nonproliferation of all weapons of mass destruction; and

NOTING:

That the CTBT has, thus far, been signed by 30 member states of the Organization of American States and ratified by 28 of them; and, in particular, that it has now been ratified by seven of the eight states of the Hemisphere whose ratification is required for the Treaty to enter into force;

The second session of the Preparatory Committee for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), held in Geneva, Switzerland, from April 28 to May 9, 2008; and

The special meeting of the Committee on Hemispheric Security to review promotion of the full force and effect of the Treaty, held on February 7, 2008,

RESOLVES:

1. To call upon those states of the Hemisphere that have not yet done so to implement the "Measures to Promote the Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty (CTBT)," adopted in the framework of the Conference on Facilitating the Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty, held in New York, in September 2005.

2. To call upon those states of the Hemisphere that have not yet done so, in particular the states listed in Annex 2 to the Treaty, to sign and/or ratify the CTBT, as the case may be, so that it may enter into force as soon as possible.

3. To promote, through the Committee on Hemispheric Security, cooperation between the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO) and the member states experiencing difficulties in ratifying the CTBT, in order to make progress in the number of ratifications required for this instrument to enter into force.

4. To encourage greater regional efforts to promote the signature and ratification of the CTBT by all states of the Hemisphere.

5. To call upon the states of the Hemisphere to refrain, even before the Treaty comes into force, from contravening the spirit of the obligations set forth therein, and to maintain, in particular, the moratorium on all kinds of nuclear tests, in accordance with the commitments undertaken at the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT).

6. To invite all the states of the Hemisphere, particularly those with International Monitoring System facilities, to support and implement the CTBT's verification regime when the Treaty enters into force.

7. To entrust the Permanent Council with holding, through its Committee on Hemispheric Security, a meeting in the first quarter of 2010 on the worldwide comprehensive nuclear test ban, with the participation of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL), the United Nations, the Preparatory Commission for the CTBTO, and other international institutions with competence in this area.

8. To request the Permanent Council to report to the General Assembly at its thirty-ninth and fortieth regular sessions on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

9. To request the Secretary General to forward this resolution to the United Nations Secretary-General, the Secretary General of OPANAL, and the Executive Secretary of the Preparatory Commission for the CTBTO.

AG/RES. 2360 (XXXVIII-O/08)

DISARMAMENT AND NONPROLIFERATION EDUCATION

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.4820/08), in particular the section on the Committee on Hemispheric Security (CSH);

RECALLING resolutions AG/RES. 2007 (XXXIV-O/04), AG/RES. 2109 (XXXV-O/05), and AG/RES. 2260 (XXXVII-O/07), “Disarmament and Nonproliferation Education”;

BEARING IN MIND the determination of the international community to promote and adopt specific measures to foster a culture of peace and nonviolence in all countries of the world and the significant contribution that disarmament and nonproliferation education can make in adopting such measures;

TAKING INTO ACCOUNT resolution 57/60, adopted by the United Nations General Assembly on December 30, 2002, which welcomed the United Nations Study on Disarmament and Non-proliferation Education, prepared by the United Nations Secretary-General with the assistance of governmental experts; and taking note of the recommendations contained therein;

RECALLING that some of the recommendations of that study are directed at regional organizations, and that the Organization of American States (OAS) can make a significant contribution to the implementation of these recommendations by promoting disarmament and nonproliferation education activities in the Hemisphere;

TAKING INTO ACCOUNT resolution 61/73, adopted by the United Nations General Assembly on December 6, 2006, which expressed appreciation to Member States, the United Nations, and other international and regional organizations, civil society, and nongovernmental organizations, which, within their purview, had implemented the recommendations made in the study, and encouraged them once again to continue applying them and to report to the Secretary-General on steps taken to that end; and

TAKING NOTE of the results of the special meeting of the CSH on the topic “Disarmament and nonproliferation education,” held on November 15, 2007,

RESOLVES:

1. To reiterate to member states the invitation contained in resolution AG/RES. 2260 (XXXVII-O/07) to give consideration to the recommendations contained in the aforementioned United Nations study, in order to strengthen education and training for disarmament and nonproliferation.

2. To instruct the Permanent Council to continue to identify, through the Committee on Hemispheric Security (CSH), relevant actions that could be implemented by the Organization of American States (OAS) to promote disarmament and nonproliferation education in the Hemisphere.

3. For the purpose set out in the preceding paragraph, to request the Permanent Council to hold a meeting during the first quarter of 2010, in the framework of the CSH, in which the member states and special guests may identify proposals for action by the OAS to promote disarmament and nonproliferation education.

4. To request the Secretary General to forward this resolution to the United Nations Secretary-General.

5. To request the Permanent Council to report to the General Assembly at its thirty-ninth and fortieth regular sessions on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2361 (XXXVIII-O/08)

SIXTIETH ANNIVERSARY OF THE AMERICAN DECLARATION
OF THE RIGHTS AND DUTIES OF MAN

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

CONSIDERING that the Charter of the Organization of American States (OAS) proclaims fundamental human rights as one of the principles of the Organization;

RECALLING that the American Declaration of the Rights and Duties of Man was adopted at the Ninth International Conference of American States (Bogotá, 1948);

UNDERSCORING that the 60th anniversary of the American Declaration falls in 2008;

BEARING IN MIND that the American Declaration was the first international instrument to enumerate basic human rights and recognized that the international protection of those rights should be the principal guide of an evolving American law; and

AWARE that both the Inter-American Court of Human Rights and the Inter-American Commission on Human Rights have recognized that the American Declaration is a source of international obligations for the OAS member states,

RESOLVES:

1. To reaffirm the importance of the American Declaration of the Rights and Duties of Man as one of the fundamental instruments of the inter-American human rights system.

2. To urge all member states to continue to ensure its effective implementation and to step up activities geared toward its promotion.

3. To invite governments, the General Secretariat, the Inter-American Court of Human Rights, the Inter-American Commission on Human Rights, the Inter-American Institute of Human Rights, and the other pertinent organs, agencies, and entities of the Organization of American States, in accordance with their respective mandates, as well as civil society organizations, to disseminate the Declaration widely, along with other inter-American and international human rights instruments.

4. To hold a special meeting of the Permanent Council to commemorate the 60th anniversary of the American Declaration of the Rights and Duties of Man.

5. To encourage states and civil society organizations to organize national and regional activities in commemoration of the 60th anniversary of the American Declaration of the Rights and Duties of Man and to report thereon to the General Secretariat.

6. To invite the General Secretariat to report to the General Assembly at its thirty-ninth regular session on the programs and activities carried out to commemorate the 60th anniversary of the American Declaration of the Rights and Duties of Man.

7. To request the Permanent Council to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2362 (XXXVIII-O/08)

INTER-AMERICAN PROGRAM FOR UNIVERSAL CIVIL REGISTRY
AND THE “RIGHT TO IDENTITY”

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

TAKING INTO ACCOUNT resolution AG/RES. 2286 (XXXVII-O/07), “Inter-American Program for a Universal Civil Registry and ‘the Right to Identity’”;

RECOGNIZING the obligations of the states parties to the Convention on the Rights of the Child to undertake to respect the right of the child to preserve his or her identity (“right to identity”);

TAKING INTO ACCOUNT the Memorandum of Understanding among the United Nations Children’s Fund and the General Secretariat of the Organization of American States and the Inter-American Development Bank for Cooperation in the Area of Citizen Registration, signed on August 8, 2006, which notes, *inter alia*, that the General Secretariat is committed to “strengthening governance through the modernization of the state and to the recognition and strengthening of the right to identity through programs and projects to increase access to citizen registration and to build capacity of institutions responsible for registration in Latin America and the Caribbean as the cornerstone of its development activities”;

TAKING NOTE of the document prepared by the Executive Secretariat for Integral Development (CP/CAJP-2482/07), of April 16, 2007, entitled “Preliminary Thoughts on Universal Civil Registry and the Right of Identity”;

RECALLING the Opinion Adopted by the Inter-American Juridical Committee (CJI) on the Scope of the Right to Identity (CJI/doc.276/07 rev. 1);

BEARING IN MIND the Strategic Plan for Partnership for Development 2006-2009, which calls for “[promoting] policy dialogue to share information and best practices among member states and assist in developing effective and efficient government policies” and “[enhancing] individual and institutional capacities in the member states to design and implement cooperation programs, projects, and activities and strengthen the capacity of individuals to contribute to the social and economic development of their countries” [AG/RES. 2201 (XXXVI-O/06)];

CONSIDERING that recognition of the identity of persons is one of the means through which observance of the rights to legal personhood, a name, a nationality, civil registration, and family relationships is facilitated, among other rights recognized in international instruments such as the American Declaration of the Rights and Duties of Man and the American Convention on Human Rights. The exercise of these rights is essential for participation in a democratic society;

RECOGNIZING the promotional and dissemination work carried out by the Inter-American Institute of Human Rights (IHR) in efforts to strengthen citizen participation and consolidate

democracy in the region, and the contributions it has also made to states and the General Secretariat through its technical advice and assistance;

CONSIDERING that non-recognition of identity can mean that a person has no legal proof of his or her existence, which makes it difficult to exercise fully his or her civil, political, economic, social, and cultural rights;

EMPHASIZING the importance of civil registries as state institutions that can guarantee recognition of the identity of persons and, therefore, the advisability of strengthening them to ensure that their scope is universal, taking into account the rich and varied diversity of cultures;

RECALLING that the Inter-American Democratic Charter establishes that it is the right and responsibility of all citizens to participate in decisions relating to their own development;

COMMITTED to building just, equitable societies based on the principles of social justice and social inclusion;

TAKING NOTE of the First Latin American Regional Conference on Birth Registration and the Right to Identity, held in Asunción, Paraguay, from August 28 to 30, 2007, with indigenous leaders and leaders of African descent participating prominently;

TAKING NOTE ALSO of the Meeting to Receive Inputs on the Draft Inter-American Program for Universal Civil Registry and the "Right to Identity," held at the headquarters of the Organization of American States (OAS) on December 5, 2007, in which there was broad participation by member states and governmental experts and by representatives of competent organs, agencies, and entities of the inter-American system, multilateral and intergovernmental organizations, and civil society organizations;

TAKING INTO ACCOUNT the Progress Report on the Application of the Memorandum of Understanding among the United Nations Children's Fund and the General Secretariat of the Organization of American States and the Inter-American Development Bank for Cooperation in the Area of Citizen Registration, presented by the General Secretariat at the meeting of the Working Group to Prepare an Inter-American Program for Universal Civil Registry and the "Right to Identity" held on April 11, 2008 (CAJP/GT/DI-29/08);

VALUING the contributions received from member states, specialized organs and agencies and competent entities of the inter-American system, and civil society organizations to the efforts of the Working Group to Prepare an Inter-American Program for Universal Civil Registry and the "Right to Identity"; and

EXPRESSING ITS SATISFACTION with the report of the Working Group to Prepare an Inter-American Program for Universal Civil Registry and the "Right to Identity" (CAJP/GT/DI-33/08), in which, in compliance with its mandate set forth in resolution AG/RES. 2286 (XXXVII-O/07), it presents a Draft Inter-American Program for Universal Civil Registry and the "Right to Identity,"

RESOLVES:

1. To adopt the Inter-American Program for Universal Civil Registry and the “Right to Identity,” which forms part of this resolution.

2. To instruct the General Secretariat to provide, through the Executive Secretariat for Integral Development, to member states that so request necessary assistance in implementing the Inter-American Program for Universal Civil Registry and the “Right to Identity,” promoting the improvement and enhancement of their civil registry systems and the adoption of universal civil registration.

3. To urge the member states to continue adopting measures to ensure full recognition of the right to identity, emphasizing that non-recognition of identity can mean that a person has no legal proof of his or her existence, which makes it difficult to exercise fully his or her civil, political, economic, social, and cultural rights.

4. To request the Permanent Council to continue supporting efforts under the Memorandum of Understanding among the United Nations Children’s Fund and the General Secretariat of the Organization of American States and the Inter-American Development Bank for Cooperation in the Area of Citizen Registration.

5. To request the General Secretariat to continue increasing its cooperation with other specialized organizations and agencies of the inter-American and international systems on matters of citizen registration.

6. To urge the states that participated in the First Latin American Regional Conference on Birth Registration and the Right to Identity to implement the recommendations that emerged from it that seek to develop and strengthen the capacity of the registered institutions.

7. To instruct the Permanent Council to hold, in the first half of 2010, a special meeting of the Committee on Juridical and Political Affairs to review the status of implementation of the aforementioned Inter-American Program on the basis of information provided by the states and of a progress report prepared by the General Secretariat, with a view to making such changes in the Program as are deemed appropriate in order to achieve universal civil registration by 2015. That meeting may include contributions from experts in the field, civil society organizations, and organs, agencies, and entities of the inter-American and international systems.

8. To instruct the General Secretariat to support the maintenance of the Inter-American Virtual Forum for Universal Civil Registry and the Right to Identity, which is intended to promote discussion, the fostering and sharing of experiences and lessons learned, and dissemination of knowledge on matters of identity and civil registry in the region.

9. To request the Inter-American Children’s Institute (IIN) to continue working on the topic “[t]o ensure children’s right to identity and citizenship,” as set out in its Strategic Plan 2005-2008, as well as on universal birth registration, in accordance with its Action Plan 2007-2011. Likewise, to instruct the IIN to join forces with the General Secretariat to achieve the objectives of the Inter-American Program for Universal Civil Registry and the “Right to Identity,” and to keep the Permanent Council informed of progress and obstacles in the region.

10. To request the Permanent Council to report to the General Assembly at its thirty-ninth and fortieth regular sessions on the implementation of this resolution, the execution of which shall be subject to the financial resources available in the program-budget of the Organization and other resources.

INTER-AMERICAN PROGRAM FOR UNIVERSAL CIVIL REGISTRY AND THE “RIGHT TO IDENTITY”

The Inter-American Program for Universal Civil Registry and the Right to Identity is a consolidated effort by the OAS and its member states, in consultation with international organizations and civil society, to promote and achieve in a progressive manner and in accordance with international law, applicable international human rights law, and domestic law, the purposes, objectives, and specific measures set forth below:

PURPOSE

- Ensure that by 2015 birth registration, which is used to ensure the right to identity, with emphasis on persons in poverty and at risk, is universal, accessible, and, if possible, cost-free.
- Identify and promote best practices, criteria, and standards for civil registry systems and their universalization, in order to address the problems and overcome the obstacles that arise in this area, taking the gender perspective into account, as well as raise awareness of the need effectively to establish the identity of millions of persons, taking into account vulnerable groups and the rich diversity of cultures in the Americas.
- Promote and protect the rights to identity; juridical personality; a name; a nationality; inscription in the civil registry; family relations; and citizen participation as an essential element of decision-making.
- Contribute to building just and equitable societies based on the principles of social justice and social inclusion.

OBJECTIVES

In accordance with the guidelines contained in operative paragraph 4 of resolution AG/RES. 2286 (XXXVII-O/07), “Inter-American Program for Universal Civil Registry and the “Right to Identity,” the Program pursues the following objectives:

1. Universalization and accessibility of civil registry and the right to identity
 - a. The member states will strengthen and/or, where applicable, develop national institutions responsible for conducting universal civil registration.
 - b. The member states, with the support of the General Secretariat when such support is requested, will work to ensure that the birth registry, which is used to ensure the right to identity, with emphasis on persons in poverty and at risk, is universal, accessible, and, if possible, cost-free.
 - c. They will also promote a multidimensional approach to this topic, considering its relationship with enjoyment of rights and freedoms, with the modernization and

transparency of state institutions, and with citizen participation^{1/} in the democratic societies of the Hemisphere. Moreover, this approach should take into account the rich and varied cultures in the Americas.

2. Strengthening of policies, public institutions, and legislation

- a. The states will develop public and institutional policies and adopt legislative measures to improve civil registry systems, taking into account the contributions of specialized bodies and international organizations.
- b. The states will guarantee the administrative and procedural autonomy of civil registries in order to safeguard their independence.
- c. Through appropriate legislation, the states will guarantee the confidentiality of the personal information gathered by the civil registry systems, applying the principles of personal data protection and the conditions needed to ensure its physical and legal security and to protect against forgery and adulteration.
- d. In accordance with their domestic laws, the states will promote the cost-free use of administrative procedures in connection with registration processes in order to simplify and decentralize them, while leaving recourse to the judicial system as a last resort.
- e. The states will secure an adequate endowment of human and economic resources for their civil registries to enable them to be effective in promoting the accessibility and universality of civil registry and protecting the right to identity of all persons.
- f. The states will ensure that people may consult the information about themselves that the states possess. The state will promote to that end, in an expeditious and simple manner, the use of information and telecommunication technologies.

3. Citizen participation and awareness

- a. The member states, with the support of the General Secretariat when such support is requested, will promote citizen participation and awareness through the universalization of civil registry to protect and demand the effective exercise of and respect for the right to identity, especially with regard to the formulation of public policies and legislative proposals conducive to those ends.

4. Identification of best practices

- a. The General Secretariat, with the support of the member states, will identify the best practices employed to guarantee—with a gender perspective—the different elements that make up the right to identity, paying particular heed to the challenges posed by poverty, social exclusion, multicultural, multilingual, and multiethnic contexts, and, especially, vulnerable groups.

1. For the purposes of this Program, citizen participation shall include all social sectors.

5. International and regional cooperation

- a. The states will foster international and regional cooperation as an effective tool in support of the efforts of member states, trying to ensure that it leads to partnerships among the different players at the national, regional, and international level, with an emphasis on the sharing of and benefiting from successful experiences, including those where social programs have been implemented to guarantee the right to identity, by issuing the corresponding public identity documents.
- b. The states will, to the extent possible, consider factors aimed at harmonizing laws in force in the various member states in the area of the identity of persons.
- c. The states will foster uniformity in registry systems, so as to obtain instruments that will enable their use in the various member states.

6. Follow-up on implementation of the Program

- a. The Permanent Council, with the technical support of the General Secretariat, will follow-up on the commitments and implementation of this Program.

SPECIFIC MEASURES

1. Universalization and accessibility of civil registry and the right to identity

- a. The states will guarantee access, without discrimination, by all persons to registries.
- b. The states, with the support of the General Secretariat when such support is requested, will secure the implementation of modern mechanisms for facilitating access to civil registry. To that end, they will promote, *inter alia*, the establishment of mobile offices, the use of technology, the coverage of civil registry offices within their territory and their on-line connectivity, the issuance of registry certificates through teller machines, joint field trips, and auxiliary registrars.
- c. The states will ensure registration of the births of all those born in their territory, regardless of the migration status of the child's parents, in accordance with their domestic law.

2. Strengthening of policies, public institutions, and legislation

- a. The states will establish and carry out policies, rules, and other measures aimed at eliminating practices of racism, discrimination, and intolerance in their civil registry systems.
- b. The General Secretariat will provide technical assistance to governments that so request in the modernization of their identity registries, in national plans to restore identity, and in the updating of vital statistics.

- c. The states will, where applicable, pay special attention to zones affected by conflicts and/or natural disasters, in which civil registries have been destroyed, implementing special procedures for the recovery of the information.
- d. The states will promote the enforcement throughout their territory of applicable legal instruments related to civil registry, including, as appropriate, those at the national level, and international conventions, agreements, and treaties on the subject.
- e. The states will strive to include in their regulatory systems, where applicable, a cost-free service for correcting mistakes in registry certificates that affect the identity of persons.
- f. The General Secretariat will prepare draft model legislation covering the technical, administrative, financial, and logistical aspects needed to ensure implementation of the Program, taking into account the diversity of cultures, languages, ethnic groups, and legal systems in the region and ensuring full respect of the confidentiality and the authenticity of personal information. Member states will evaluate, as the case may be, the possibility of adopting such draft model legislation.
- g. The states may request the cooperation of the General Secretariat in support of their efforts to identify, systematize, and standardize the basic criteria and standards needed to ensure that national civil registry systems can function properly and to guarantee universal coverage.
- h. The states will protect the information in their civil registries by using highly reliable electronic security systems.
- i. The states will promote the simplification of civil registry administrative processes and their standardization at the national level.
- j. The states will strive to adopt all measures aimed at consolidating respect for the linguistic diversity of the region and indigenous names.
- k. The states will register all girls and boys immediately after birth and will promote late registration of adults in accordance with their domestic legislation and any obligations they have incurred by virtue of pertinent international instruments. To that end, with the support of the General Secretariat and specialized agencies of the inter-American system when such support is requested, the states will strive to acquire the required technological equipment and software.
- l. The states, with the support of the General Secretariat when such support is requested, will promote the design and execution of massive civil registry campaigns that include all relevant measures to guarantee access to registration and the actual registration of boys and girls, adolescents, and adults.
- m. Likewise, the states will promote late registration of those adults who have not been registered, thereby attempting to ensure that registration of the parents helps to ensure effective registration of their children.

- n. The states will foster the establishment of administrative procedures for processes involving the correction of certificates and late registry, and others, with a view to ensuring the accessibility and universality of civil registry.
- o. The states will strengthen their consulates to facilitate the issuance of registry certificates and identity documents for their nationals living abroad.
- p. The states will promote the universalization of birth registration as a means of preventing and combating statelessness and, where applicable, they will promote the reforms needed in accordance with the respective provisions of international law.

3. Citizen participation and awareness

- a. The states will promote the development of ongoing sensitization and awareness-raising plans targeting officials and civil servants in all branches of the state, and all sectors of society, emphasizing promotion and protection of the rights to legal personhood, a name, a nationality, and civil registration, and promote the elimination of stereotypes and discrimination.
- b. The states will foster and support the implementation of awareness programs and/or campaigns for the population directed especially at the segments of the population living in poverty, indigenous peoples, and other vulnerable groups, on the importance and necessity of properly registering the newly born, and the population in general, and on the repercussions of improper registration for the enjoyment of other rights. Those campaigns will be directed with particular emphasis on mothers, fathers, guardians, or legal representatives.
- c. The states will encourage cooperation among the authorities of states and civil society organizations, as appropriate and in accordance with domestic laws, in order to foster the co-responsibility of both citizens and states for solving the problem of underregistration in the establishment of stable and effective networks.
- d. The General Secretariat, together with the states, will promote the participation of civil society organizations in the execution of the Program, in accordance with the Guidelines for Participation by Civil Society Organizations in OAS Activities.
- e. The states will promote civil society participation in execution of the Program.
- f. The states will foster and develop instructional campaigns to make parents and guardians aware of and sensitive to the importance of civil registry of minors with issuance of the corresponding public identity document.
- g. The states will promote periodic training sessions for school teachers aimed at fostering a culture conducive to the protection and effective exercise of the right to identity among students and parents.

- h. The states will take advantage of services and programs provided by the state to verify that all children accessing them have their civil registry IDs. If they do not, parents and guardians should be helped with the process of applying for and obtaining them.
- i. The states will work with indigenous communities and any other under-registered ethnic group, to raise awareness on and sensitivity to the importance of the need to register their members and obtain the corresponding public identity document, while fully respecting their forms of organization and their authorities.

4. Identification of best practices

- a. The General Secretariat will draw up a catalogue of best practices, criteria, and standards with respect to civil registry, taking into account the specific needs of the member states, in order to identify technical and practical factors—such as use of technology, customer service quality, performance indicators, information management, and national civil registry plans, to name but a few—that might be used by the countries in the region to ensure universalization of civil registry, bearing in mind each country’s cultural, linguistic, and ethnic diversity and the region’s already existing legal systems.

5. International and regional cooperation

- a. The states will foster international and regional cooperation and the sharing of experiences, information, and human resources with a view to drawing upon the successful experiences of countries that have implemented social programs to guarantee the right to identity of their population by issuing the appropriate government identification documents.
- b. The General Secretariat will promote and support the exchange of experiences and the integration of common fields, which will make it possible, when the states so agree, to share information among the parties and to draw up programs and projects for strengthening the institutions in charge.
- c. The states, with the support of the General Secretariat and the specialized agencies of the inter-American system when such support is requested, may, in implementing the Program, take into account the national plans drawn up at the First Latin American Regional Conference on Birth Registration and the Right to Identity (Paraguay, August 28 to 30, 2007).
- d. The General Secretariat will continue working in coordination with the Inter-American Development Bank (IDB) and the United Nations Children’s Fund (UNICEF) so that they can report on the problems of underregistration and promotion of the right to identity in the region and on the impact that the Inter-American Program for Universal Civil Registry and the “Right to Identity” might have on the improvement of registry systems.

- e. The General Secretariat will work in coordination with the Inter-American Children's Institute (IIN) and will support its work on universal birth registration and the right to identity.
 - f. The General Secretariat will strengthen ties and foster partnership for development and coordination activities with other regional and international bodies and civil society organizations working in the Americas, with a view to ensuring effective policy and optimal management of resources for proper implementation of the Program.
6. Follow-up on implementation of the Program
- a. The General Secretariat will provide the assistance required by member states that request it in order to improve and develop their civil registry systems and to achieve implementation of the Program.
 - b. Hold a special meeting in the CAJP framework in 2010 to assess progress with implementation of the Program, based on the information provided by the states and a progress report by the General Secretariat, with a view to making any changes to the Program that are deemed appropriate in order to reach the goal of achieving universal civil registry by 2015. That meeting may benefit from the contributions of experts in this field, civil society organizations, and the organs, agencies, and entities of the inter-American and global systems.
 - c. Strengthen the General Secretariat by endowing it appropriately with the human and financial resources needed to execute the Program in accordance with the availability of said resources and the Organization's internal rules and procedures.

STRATEGIES

1. The states will promote implementation of the Inter-American Program through their policies and, if considered necessary, in their legislation, and by furnishing the resources needed to execute and monitor it.
2. The states will promote the evaluation and, where applicable, updating and improvement of their legal systems and institutional and organizational structures, in accordance with international human rights instruments and taking into account the best practices, technical tools, and experiences of other member states.
3. The states will further promote the establishment of effective international and intergovernmental cooperation mechanisms, in order to improve their laws and policies, including—to the extent possible—their harmonization, and to share information regarding the Program's objectives.
4. The states will promote citizen participation and that of social organizations in the process of preparing and implementing public policies for combating underregistration and protecting universal access to civil registry and the right to identity.

5. The states, taking into account the existence of particularly vulnerable segments of the population who are adversely affected by underregistration and the lack of identity documents, will promote the design and implementation of policies aimed at overcoming this situation, and will foster social and institutional awareness campaigns and initiatives to address this issue, in addition to building these goals into all public policies on health, education, culture, and so on.

AG/RES. 2363 (XXXVIII-O/08)

SOCIAL CHARTER OF THE AMERICAS: RENEWAL OF THE HEMISPHERIC
COMMITMENT TO FIGHT POVERTY IN THE REGION

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

HAVING SEEN:

Resolutions AG/RES. 2056 (XXXIV-O/04) and AG/RES. 2139 (XXXV-O/05), “Draft Social Charter of the Americas: Renewal of the Hemispheric Commitment to Fight Extreme Poverty in the Region”; and AG/RES. 2241 (XXXVI-O/06), “Social Charter of the Americas: Renewal of the Hemispheric Commitment to Fight Extreme Poverty in the Region”; and AG/RES. 2278 (XXXVII-O/07) “Social Charter of the Americas: Renewal of the Hemispheric Commitment to Fight Poverty in the Region”; and

The report on the implementation of resolution AG/RES. 2278 (XXXVII-O/07) (CP/doc.4313/08);

CONSIDERING that the Charter of the Organization of American States (OAS) establishes as one of the Organization’s essential purposes the eradication of extreme poverty, which constitutes an obstacle to the full democratic development of the peoples of the Hemisphere;

BEARING IN MIND:

That the Inter-American Democratic Charter states that democracy is essential for the social, political, and economic development of the peoples of the Americas;

That the Inter-American Democratic Charter also states that poverty, illiteracy, and low levels of human development are factors that adversely affect the consolidation of democracy; and

That the promotion and observance of civil, political, economic, social, and cultural rights are inherently linked to integral development and to equitable economic growth;

RECALLING the Declarations of the Summits of the Americas, the Declaration of Margarita on poverty, equity, and social inclusion, the Monterrey Consensus, and other pertinent OAS documents;

TAKING INTO ACCOUNT that the elimination of extreme poverty is an essential part of the promotion and consolidation of the democratic framework and is the common and shared responsibility of the states of the Americas;

BEARING IN MIND that the Heads of State and Government of the Americas, in the Declaration of Mar del Plata, adopted at the Fourth Summit of the Americas, encouraged the work of the OAS in drafting the Social Charter of the Americas and its Plan of Action, “whose principles and

objectives will be directed towards the achievement by member states of societies that offer all of our citizens more opportunities to benefit from sustainable development with equity and social inclusion”;

RECALLING the proposal by the Bolivarian Republic of Venezuela that, once the work on the Social Charter of the Americas and its Plan of Action has been concluded, a special session of the General Assembly be held to adopt them;

ACCEPTING WITH PLEASURE the offer by the Bolivarian Republic of Venezuela to host that above-mentioned special session of the General Assembly;

REAFFIRMING the moral and political commitment to combat poverty in the region; and

CONVINCED, therefore, of the pressing need to make all necessary efforts to advance more rapidly in preparing the Social Charter of the Americas and its Plan of Action,

RESOLVES:

1. To welcome the report on the implementation of resolution AG/RES. 2278 (XXXVII-O/07), “Social Charter of the Americas: Renewal of the Hemispheric Commitment to Fight Poverty in the Region,” which reflects substantive progress in the work of drafting of the Social Charter of the Americas carried out by the Joint Working Group of the Permanent Council and the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI), in fulfillment of the mandate contained in that resolution.

2. To renew the commitment it undertook and entrusted to the Joint Working Group of the Permanent Council and CEPCIDI to work intensively to conclude negotiations on the Draft Social Charter of the Americas and its Plan of Action; and to express the sincere political will of all our countries to conclude and adopt those documents before April 2009.

3. To reiterate the mandate given to the Permanent Council and CEPCIDI to jointly prepare a draft Social Charter of the Americas and a Plan of Action, which includes the principles of social development and establishes specific goals and targets that reinforce the existing instruments of the Organization of the American States (OAS) on democracy, integral development, and the fight against poverty.

4. To instruct the OAS Executive Secretariat for Integral Development to prepare the Draft Plan of Action, conceived for the attainment of specific, feasible goals, on the basis of existing mandates, and following the structure of the Social Charter of the Americas.

5. To instruct the Permanent Council to consider, once the negotiations process has concluded, convening a special session of the General Assembly, taking into account the offer of the Bolivarian Republic of Venezuela to host it, for the adoption of the Social Charter of the Americas and its Plan of Action.

6. To request the Permanent Council and CEPCIDI to present the results of their work to the General Assembly for consideration and adoption.

AG/RES. 2364 (XXXVIII-O/08)

PROMOTION OF THE INTERNATIONAL CRIMINAL COURT^{1/}

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

RECALLING resolutions AG/RES. 1619 (XXIX-O/99), AG/RES. 1706 (XXX-O/00), AG/RES. 1709 (XXX-O/00), AG/RES. 1770 (XXXI-O/01), AG/RES. 1771 (XXXI-O/01), AG/RES. 1900 (XXXII-O/02), AG/RES. 1929 (XXXIII-O/03), AG/RES. 2039 (XXXIV-O/04), AG/RES. 2072 (XXXV-O/05), AG/RES. 2176 (XXXVI-O/06), and AG/RES. 2279 (XXXVII-O/07);

RECALLING ALSO the recommendation of the Inter-American Commission on Human Rights (IACHR) (OEA/Ser.L/V/II.102, Doc. 6 rev., April 16, 1999, Chapter VII, 21.3.B), as well as its resolution No. 1/03, on the prosecution of international crimes, and the document "Framework for OAS Action on the International Criminal Court" (AG/INF.248/00);

RECOGNIZING that the adoption of the Rome Statute of the International Criminal Court was a milestone in efforts to combat impunity, and that it and the Court are fundamental components of the international criminal justice system and that they constitute effective instruments for consolidating international criminal law and international justice and peace;

NOTING WITH CONCERN the continuation in some parts of the world of persistent violations of international humanitarian law and international human rights law; and reaffirming that all states have the primary duty to investigate, prosecute, and punish those violations so as to prevent their recurrence and avoid the impunity of the perpetrators of those crimes, by taking measures whether at the national or the international level, including, as appropriate, referral to the International Criminal Court;

CONVINCED of the importance of preserving the effectiveness and legal integrity of the Rome Statute, including the jurisdiction of the International Criminal Court; and recognizing the essential role of the Vienna Convention on the Law of Treaties and the firm resolve of the states parties to preserve them;

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1. Reservation by the United States: The United States has long been concerned about the persistent violations of international humanitarian law and international human rights law throughout the world. The United States will continue to be a forceful advocate for the principle of accountability for war crimes, genocide, and crimes against humanity, but cannot support the flawed International Criminal Court (ICC). Thus, the United States has not ratified the Rome Statute and has no intention of doing so. In light of this position, the United States cannot join in the consensus on an OAS resolution that promotes the Court, nor support the use of the OAS regular budget to fund cooperation and any other support rendered to the ICC, including under any OAS-ICC cooperation agreement. The United States understands that any such support will result only from specific fund contributions.

WELCOMING the 10th anniversary of the adoption of the Rome Statute of the International Criminal Court on July 17, 1998, and its entry into force on July 1, 2002, the date on which the Court became the international judicial body complementing the efforts of national jurisdictions to prosecute the perpetrators of the most serious international crimes, such as genocide, crimes against humanity, and war crimes;

MINDFUL of the importance of effective cooperation from the states, from the United Nations, including the Security Council, and from other international and regional organizations, and of support from civil society, to the effective functioning of the International Criminal Court;

NOTING in this respect that Article 87.6 of the Rome Statute recognizes the role intergovernmental organizations can play in providing cooperation to the Court and that, in its resolution ICC-ASP/6/Res. 2, contained in ICC publication ICC-ASP/6/20, the Assembly of States Parties, at its sixth session, renewed its invitation to other relevant organizations to consider concluding such agreements with the Court;

WELCOMING that 106 states have now ratified or acceded to the Rome Statute, among them 23 members of the Organization of American States (OAS);

NOTING WITH GRATIFICATION:

The work done by Costa Rica as President of the Assembly of States Parties to the Rome Statute of the International Criminal Court and the participation by Belize, Bolivia, and Peru as members of the Bureau of said Assembly of States Parties during the 2005-2008 term; and

That 12 member states of the Organization have ratified or acceded to the Agreement on Privileges and Immunities of the International Criminal Court, the most recent among them being Mexico in 2007 and Honduras in 2008; and that others are in the process of doing so;

NOTING the outcome of the sixth session of the Assembly of States Parties to the Rome Statute, held from November 30 to December 14, 2007, especially resolution ICC-ASP/6/Res.2, "Strengthening the International Criminal Court and the Assembly of States Parties," of December 14, 2007;

NOTING ALSO the results of the Hemispheric Seminar "Toward the First Review Conference of the Rome Statute of the International Criminal Court," held in Mexico City in August 2007, and of the meeting of legislators of the Central American region, the Dominican Republic, Mexico, and Panama on incorporation of war crimes into international criminal law, held in San José, Costa Rica, on June 7 and 8, 2007;

RECOGNIZING the important work of the Coalition for the International Criminal Court with member states in promoting and defending the Rome Statute;

EXPRESSING ITS SATISFACTION with the progress made by the International Criminal Court in developing into a fully operational judicial body, as well as with the forthcoming beginning of its first trial and the detention and surrender of the alleged perpetrators of crimes under its jurisdiction, which mark the beginning of a new phase for the Court;

CONVINCED of the importance of continuing to address problems identified in implementing fully United Nations Security Council resolution 1593 (2005), of March 31, 2005, and the need to step up, to that end, international assistance and cooperation with the International Criminal Court and the Office of the Prosecutor in efforts to combat impunity;

EXPRESSING ITS SATISFACTION with the holding, at the Organization's headquarters, on January 28, 2008, of the Working Meeting on the International Criminal Court, within the framework of the Committee on Juridical and Political Affairs and with support from the Office of International Law, in which representatives of the International Criminal Court, international organizations, and civil society organizations participated; and taking note of the results of that meeting, contained in the Rapporteur's report (CP/CAJP-2569/08);

RECOGNIZING the results of the informal meeting to address the mandate of the Inter-American Juridical Committee to prepare a model law on cooperation between states and the International Criminal Court, held at OAS headquarters on January 28, 2008;

TAKING INTO ACCOUNT the report of the Inter-American Juridical Committee presented pursuant to resolution AG/RES. 2279 (XXXVII-O/07) (CP/doc.4260/08), as well as resolution CJI/RES. 140 (LXXII-O/08), "Promotion of the International Criminal Court"; and

TAKING NOTE of the Annual Report of the Permanent Council to the General Assembly (AG/doc.4820/08),

RESOLVES:

1. To renew its appeal to those member states of the Organization that have not already done so to consider ratifying or acceding to, as the case may be, the 1998 Rome Statute of the International Criminal Court and to cooperate in promoting universal accession thereto.
2. To urge member states of the Organization that are parties or signatories to the Rome Statute to promote and respect its intent and its purpose, in order to preserve its effectiveness and integrity and bring about its universal adoption.
3. To remind the member states of the Organization that are parties to the Rome Statute that it is important to continue to take measures with a view to its full and effective implementation, including those necessary to adapt or amend their domestic law, as necessary, and the adjustments necessary to define war crimes in accordance with definitions contained in applicable instruments of international humanitarian law, especially Additional Protocol I to the Geneva Conventions, or of international human rights law.
4. To urge the member states of the Organization to cooperate to the greatest extent possible among themselves and, as appropriate, with the International Criminal Court, so as to avoid the impunity of the perpetrators of the most serious international crimes, such as war crimes, crimes against humanity, and genocide, ensuring that their national legislation facilitates said cooperation, applies to crimes within the jurisdiction of the International Criminal Court, and establishes their imprescriptibility.

5. To urge the member states of the Organization to consider ratifying or acceding to, as the case may be, the Agreement on Privileges and Immunities of the International Criminal Court and, in the case of those states that are already party to that Agreement, to take the necessary measures for its full and effective implementation at the national level.

6. To encourage states to contribute to the trust fund established by the Assembly of States Parties to the Rome Statute for the benefit of victims of crimes within the jurisdiction of the International Criminal Court, and of the families of such victims, as well as to the fund for the participation of least developed countries.

7. To invite member states to participate actively in the work of the Assembly of States Parties, as states parties or observers, where appropriate, with the purpose, among others, of stepping up discussions on the review conference planned for 2010 and ensuring the integrity of the Rome Statute.

8. To request the Inter-American Juridical Committee, on the basis of its proposal to prepare a model law on cooperation between states and the International Criminal Court, to promote, insofar as it is able and with support from civil society, the adoption of said law in states that do not yet have a law in the area, and, with collaboration from the General Secretariat and the Secretariat for Legal Affairs, to provide support for and promote in member states the training of administrative and judicial officials and academics for that purpose, and to report on progress thereon to the General Assembly at its fortieth regular session.

9. To request the General Secretariat to continue its efforts toward the conclusion of a cooperation agreement with the International Criminal Court and to keep the member states informed of progress in negotiations with the International Criminal Court or any of its organs in that regard.

10. To request the Permanent Council to hold a working meeting, with support from the Department of International Law, on appropriate measures that states should take to cooperate with the International Criminal Court, which should include a high-level dialogue among member states. The International Criminal Court, international organizations, and nongovernmental organizations will be invited to cooperate and participate in this working meeting.

11. To request the Permanent Council to include the topic of the implementation of the Rome Statute and of the Agreement on Privileges and Immunities on the agenda of the Committee on Juridical and Political Affairs.

12. To request the Secretary General to promote, at the headquarters of the Organization of American States and with the sponsorship of interested member states and other interested entities or organizations, activities to commemorate the 10th anniversary of the adoption of the Rome Statute of the International Criminal Court.

13. To request the Secretary General to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2365 (XXXVIII-O/08)

PROGRAM OF ACTION FOR THE DECADE OF THE AMERICAS FOR
THE RIGHTS AND DIGNITY OF PERSONS WITH DISABILITIES (2006-2016)
AND SUPPORT FOR ITS TECHNICAL SECRETARIAT

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

TAKING INTO ACCOUNT that, in the Plan of Action of the Fourth Summit of the Americas (Mar del Plata, Argentina, November 2005), the Heads of State and Government instructed the Organization of American States (OAS) to “consider at the next OAS period of regular sessions of the General Assembly to be held in the Dominican Republic, a Declaration on the Decade of the Americas for Persons with Disabilities (2006–2016), together with a program of action”;

RECALLING resolutions AG/RES. 1249 (XXIII-O/93) and AG/RES. 1356 (XXV-O/95), “Situation of Persons with Disabilities in the American Hemisphere”; AG/RES. 1369 (XXVI-O/96), “Panama Commitment to Persons with Disabilities in the American Hemisphere”; AG/RES. 2230 (XXXVI-O/06); and AG/RES. 2339 (XXXVII-O/07), which adopted the “Program of Action for the Decade of the Americas for the Rights and Dignity of Persons with Disabilities (2006–2016)”;

BEARING IN MIND:

The Declaration on the Decade of the Americas for the Rights and Dignity of Persons with Disabilities (2006–2016), adopted in Santo Domingo, Dominican Republic, with the theme “Equality, Dignity, and Participation” [AG/DEC. 50 (XXXVI-O/06)], the objectives of which are the recognition and full exercise of the rights and dignity of persons with disabilities and their right to participate fully in economic, social, cultural, and political life and in the development of their societies, without discrimination and on an equal basis with others; and

The need, during the aforementioned Decade, to undertake programs, plans, and measures to bring about the inclusion of and full participation by persons with disabilities in all aspects of society; to carry out social, political, economic, cultural, and development programs that afford such persons opportunities; to promote effective measures to prevent new disabilities; and to provide persons with disabilities with access to rehabilitation services and programs, on an equal basis with others;

CONSIDERING:

That the Program of Action assigns the coordination of its execution to a technical secretariat, hereinafter referred to as SEDISCAP, the purpose of which will be to provide support to member states, persons with disabilities and their organizations, and OAS bodies, to follow up on the commitments set forth therein and the planning of activities in pursuit of its specific aims and measures; and

Resolution CP/RES. 926 (1625/08), “Installation in Panama of the Technical Secretariat for the Implementation of the Program of Action for the Decade of the Americas for the Rights and Dignity of Persons with Disabilities (2006–2016)”; and

CONVINCED that successful application and implementation of the Program of Action for the Decade depends on member states’ honoring their commitments and on support from multilateral cooperation agencies, civil society organizations, especially those specialized in this area, and the private sector,

RESOLVES:

1. To thank the Government of the Republic of Panama for its steadfast and effective support for the Program of Action and for the installation in Panama City, Republic of Panama, of the Technical Secretariat for the Implementation of the Program of Action for the Decade of the Americas for the Rights and Dignity of Persons with Disabilities (2006–2016) (SEDISCAP), and for the adoption by the Permanent Council of document CP/CAJP-2538/07 rev. 3, which defines the structure, legal status, and funding of the Technical Secretariat.
2. To declare the importance of contributing to the Specific Fund for Voluntary Contributions established by the Permanent Council, the purpose of which is to support SEDISCAP operations.
3. To thank the General Secretariat for its support for the launching of said Technical Secretariat.
4. To request the Secretary General, taking account of the legal and financial status of SEDISCAP, to provide the Permanent Council, at the end of SEDISCAP’s first year of effective operation, with a report on its operations, budget outturn, adjusted budgets, and budget projections, and on firm funding commitments for subsequent years.
5. To instruct the Permanent Council to follow up on this resolution, which will be implemented, where it pertains to SEDISCAP, with resources from the Specific Fund for Voluntary Contributions established for that purpose and, where it pertains to the responsibilities assigned in this area to the Secretariat for Legal Affairs, within the resources allocated in the program-budget of the Organization and other resources. In addition, to present a report on its implementation to the General Assembly at its thirty-ninth regular session.

AG/RES. 2366 (XXXVIII-O/08)

SUPPORT FOR THE COMMITTEE FOR THE ELIMINATION OF ALL FORMS OF
DISCRIMINATION AGAINST PERSONS WITH DISABILITIES

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

BEARING IN MIND:

The Inter-American Convention on the Elimination of All Forms of Discrimination against Persons with Disabilities, adopted in Guatemala on June 7, 1999, which entered into force on September 14, 2001, and has been ratified by 17 member states; and

Resolution AG/RES. 2263 (XXXVII-O/07), “Support for the Committee for the Elimination of All Forms of Discrimination against Persons with Disabilities”;

HAVING SEEN the report on the First Meeting of the Committee, held on February 28 and March 1, 2007, in Panama City, Republic of Panama (CEDDIS/doc.28/07); and

CONSIDERING that the states parties to the Convention have submitted their comments on the national reports, which will make it possible to hold the Second Meeting of the Committee for the Elimination of All Forms of Discrimination against Persons with Disabilities in the second half of 2008; and considering the offer of Brazil to host said meeting,

RESOLVES:

1. To express its satisfaction with the progress made in the work of the Committee for the Elimination of All Forms of Discrimination against Persons with Disabilities; and to encourage it to convene its Second Meeting during the second half of 2008 to facilitate preparation of the report on the progressive implementation of the Convention, especially Article VI thereof, and Article 20 of the Committee’s Rules of Procedure, which, in turn, would make it possible to submit that report to the General Assembly for information at its thirty-ninth regular session.

2. To reiterate the importance of contributing to the specific fund for voluntary contributions entitled “Specific Fund for the Committee for the Elimination of All Forms of Discrimination against Persons with Disabilities,” in order to supplement financing for the activities of the Committee and its Technical Secretariat and to allow for the participation of representatives appointed by those states parties that, owing to special circumstances, cannot finance such participation.

3. To request the Secretary General to continue, through the Department of International Law, which is the Technical Secretariat of the Committee, supporting the tasks assigned to the Committee.

4. To request the Permanent Council to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2367 (XXXVIII-O/08)

DRAFT INTER-AMERICAN CONVENTION AGAINST RACISM
AND ALL FORMS OF DISCRIMINATION AND INTOLERANCE

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.4820/08);

REAFFIRMING the content of resolution AG/RES. 2276 (XXXVII-O/07), "Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance," and all prior resolutions on the subject: AG/RES. 1712 (XXX-O/00) and AG/RES. 1774 (XXXI-O/01), both entitled "Preparation of a Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance"; AG/RES. 1905 (XXXII-O/02), "Prevention of Racism and All Forms of Discrimination and Intolerance and Consideration of the Preparation of an Inter-American Draft Convention"; and AG/RES. 1930 (XXXIII-O/03), AG/RES. 2038 (XXXIV-O/04), and AG/RES. 2126 (XXXV-O/05), "Prevention of Racism and All Forms of Discrimination and Intolerance and Consideration of the Preparation of a Draft Inter-American Convention"; and

HAVING SEEN document CAJP/GT/RDI-57/07 rev. 7 corr. 1, "Consolidated Document: Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance,"

RESOLVES:

1. To take note of the progress achieved by the Working Group to Prepare a Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance.
2. To instruct the Working Group to continue negotiations on that draft Convention, taking into account the progress set forth in document CAJP/GT/RDI-57/07 rev. 7 corr. 1, "Consolidated Document: Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance," and in keeping with the work plan and working procedure to be adopted by the Group as it begins its activities.
3. To request that the Working Group continue promoting contributions from member states; organs, agencies, and entities of the Organization of American States (OAS); the United Nations; and regional organizations; and to urge those bodies to continue sending their written contributions to the Working Group for consideration; and, bearing in mind the Guidelines for Participation by Civil Society Organizations in OAS Activities, contained in Permanent Council resolution CP/RES. 759 (1217/99), dated December 15, 1999, that it also continue to receive contributions from vulnerable groups and from interested civil society organizations.
4. To request the Working Group to hold a one-day meeting at OAS headquarters, prior to the close of 2008, to receive contributions and inputs on the negotiation process of the Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance, for the

purpose of furthering and strengthening the negotiation process of the draft Convention and facilitating the participation of government experts. The purpose of that meeting is to ensure that the contributions of the participants and experts guide and enrich the negotiation process through technical analysis of specific points previously identified by the Working Group.

5. To renew the mandates to the Justice Studies Center of the Americas (JSCA) and the Inter-American Commission on Human Rights (IACHR), as set forth in paragraphs 5, 7, and 8 of resolution AG/RES. 2168 (XXXVI-O/06).

6. To request the General Secretariat to continue to provide support to the Working Group's activities, through the Executive Secretariat of the IACHR and the Department of International Law of the Secretariat for Legal Affairs.

7. To request the Permanent Council to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2368 (XXXVIII-O/08)

DRAFT AMERICAN DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES

(ADOPTED AT THE FOURTH PLENARY SESSION, HELD ON JUNE 3, 2008)

THE GENERAL ASSEMBLY,

RECALLING resolutions AG/RES. 1022 (XIX-O/89), AG/RES. 1479 (XXVII-O/97), AG/RES. 1549 (XXVIII-O/98), AG/RES. 1610 (XXIX-O/99), AG/RES. 1708 (XXX-O/00), AG/RES. 1780 (XXXI-O/01), AG/RES. 1851 (XXXII-O/02), AG/RES. 1919 (XXXIII-O/03), AG/RES. 2029 (XXXIV-O/04), AG/RES. 2073 (XXXV-O/05), AG/RES. 2234 (XXXVI-O/06), and AG/RES. 2294 (XXXVII-O/07); and

HAVING SEEN the report of the Chair of the Working Group to Prepare the Draft American Declaration on the Rights of Indigenous Peoples on the activities carried out in 2007 and 2008 (GT/DADIN/doc.340/08), as well as the document of the Meeting for Reflection, held from November 26 to 28, 2007, on the Meetings of Negotiations in the Quest for Points of Consensus (GT/DADIN/doc.324/08 rev. 1) and the report on the Eleventh Meeting of Negotiations in the Quest for Points of Consensus (GT/DADIN/doc.339/08), held from April 14 to 18, 2008,

RESOLVES:

1. To reaffirm that the adoption of the American Declaration on the Rights of Indigenous Peoples remains a priority for the Organization of American States (OAS), emphasizing the importance of full and effective participation by the indigenous peoples in preparing the draft Declaration.

2. To renew the mandate of the Working Group to Prepare the Draft American Declaration on the Rights of Indigenous Peoples to continue holding its Meetings of Negotiations in the Quest for Points of Consensus, so as to complete the drafting of the Declaration, on the basis of the "Record of the Current Status of the Draft American Declaration on the Rights of Indigenous Peoples" (GT/DADIN/doc.334/08) and taking into consideration the "Compendium of Proposals of Negotiations in the Quest for Points of Consensus Held by the Working Group" (GT/DADIN/doc.255/06 add. 2 rev. 2), as well as the report on the Meeting for Reflection (GT/DADIN/doc.324/08 rev. 1) and other pertinent documents of the Working Group.

3. To request the Permanent Council to instruct the Working Group to:

- a. Hold, between September 2008 and March 2009, up to three meetings, each of up to five days, one of them a special meeting for evaluation and strengthening of the negotiation process and for the proposal of specific actions for addressing the issues, and the two others Meetings of Negotiations in the Quest for Points of Consensus for negotiation of the document "Record of the Current Status of the Draft American Declaration on the Rights of Indigenous Peoples." At least one of the three meetings is to be held at the headquarters of the Organization;

- b. Ensure that the Chair of the Working Group engages in informal consultations with those involved in the process and presents the conclusions thereof in a document for the special meeting for submission to the Working Group for consideration;
 - c. Take the appropriate measures to ensure effective participation by representatives of indigenous peoples; and
 - d. Seek consensual solutions that address the needs of the indigenous peoples and the specific characteristics of the region.
4. To request the Selection Board of the Specific Fund to continue to work according to the principles of transparency established in resolution CP/RES. 873 (1459/04), “Amendments to the Specific Fund to Support the Preparation of the American Declaration on the Rights of Indigenous Peoples.”
5. To request the General Secretariat and the organs, agencies, and entities of the Organization to lend their valuable support to the process of drafting the American Declaration on the Rights of Indigenous Peoples; and to thank them for their ongoing contribution to that process.
6. To request the Permanent Council to report to General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2369 (XXXVIII-O/08)

MEETING OF MINISTERS OF JUSTICE OR OTHER MINISTERS OR
ATTORNEYS GENERAL OF THE AMERICAS (REMJA)

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.4820/08), in particular as it pertains to the implementation of resolution AG/RES. 2266 (XXXVII-O/07), "Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas: Support for the REMJA Process";

RECALLING that, in the Summits of the Americas, the Heads of State and Government have supported the work done in the context of the Meetings of Ministers of Justice or Other Ministers or Attorneys General of the Americas (REMJAs) and the implementation of their conclusions and recommendations;

BEARING IN MIND that in the Declaration on Security in the Americas the states of the Hemisphere reaffirmed "that the Meetings of Ministers of Justice or Ministers or Attorneys General of the Americas (REMJA) and other meetings of criminal justice authorities are important and effective fora for promoting and strengthening mutual understanding, confidence, dialogue, and cooperation in developing criminal justice policies and responses to address new threats to security";

TAKING INTO ACCOUNT that, in resolution AG/RES. 2266 (XXXVII-O/07), the General Assembly decided to convene REMJA-VII, which was held in the United States of America from April 28 to 30, 2008; and

TAKING INTO ACCOUNT ALSO the contributions made at the Third Meeting of Central Authorities and Other Experts on Mutual Assistance in Criminal Matters and Extradition, held in Bogotá, Colombia, in September 2007; the Fifth Meeting of the Group of Governmental Experts on Cyber-crime, held in Washington, D.C., in November 2007; and the Technical Meeting to prepare a comprehensive draft document on the REMJA process, held in Washington, D.C., in March 2008,

RESOLVES:

1. To express its satisfaction with the results of the Seventh Meeting of Ministers of Justice or Other Ministers or Attorneys General of the Americas (REMJA-VII), held in Washington, D.C., from April 28 to 30, 2008, and of the technical meetings that preceded it, in the framework of the REMJA process, and to emphasize the adoption at said meeting of the Document of Washington, which institutionalizes said process, formally establishing the organization and functioning of the REMJA.

2. To thank the Government of the United States for its successful organization of the aforementioned ministerial meeting.

3. To endorse the “Conclusions and Recommendations of REMJA-VII,” which are appended to this resolution and form an integral part thereof.

4. To accept with appreciation the offer of Brazil to host REMJA-VIII, which is to be held in 2010.

5. To accept with appreciation the offer of Chile to host the Second Meeting of Officials Responsible for the Penitentiary and Prison Policies of the OAS Member States, which is to be held from August 27 to 29, 2008, in Valdivia.

6. To instruct the Permanent Council to duly follow up on the “Conclusions and Recommendations of REMJA-VII” and, pursuant thereto, to convene the following meetings, which will be carried out within the resources allocated in the program-budget of the Organization and other resources, taking into account the progress already made in preparing for them:

- a. Meeting of Specialists in Forensic Investigation;
- b. Sixth Meeting of the Group of Governmental Experts on Cyber-crime;
- c. Second Meeting of National Authorities on Trafficking in Persons; and
- d. Fourth Meeting of Central Authorities and Other Experts on Mutual Assistance in Criminal Matters and Extradition, to be held in El Salvador in 2009.

7. To request the Permanent Council to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

SEVENTH MEETING OF MINISTERS OF JUSTICE OR
OTHER MINISTERS OR ATTORNEYS GENERAL
OF THE AMERICAS

REMJA VII

APPENDIX

OEA/Ser.K/XXXIV.7.1
REMJA-VII/doc.7/08 rev. 1
30 April 2008
Original: English

CONCLUSIONS AND RECOMMENDATIONS OF REMJA-VII

CONCLUSIONS AND RECOMMENDATIONS OF REMJA-VII

REMJA-VII reaffirms that the damage caused, and the threat posed to our citizens, our democracies, and the economic and social development of our states, by the different manifestations of crime in the hemisphere, make it necessary and urgent to continue to strengthen and enhance mutual legal and judicial cooperation at the hemispheric level, as well as to ensure that member states have the laws, procedures, and legal mechanisms in place to enable them to effectively combat transnational organized criminals, and to deny them safe haven, as well as the proceeds and instrumentalities of their illegal conduct. Likewise, REMJA-VII reaffirms that it will continue its every effort to bring about proper access to justice for the inhabitants of the Americas and thereby strengthen the security of the region's societies; therefore it undertakes to promote the exchange of national experiences and legal and judicial cooperation on civil, trade, family and child law issues.

Having concluded its deliberations on the various items on its agenda, the Seventh Meeting of Ministers of Justice or other Ministers or Attorneys General of the Americas (REMJA-VII), convened under the auspices of the Organization of American States (OAS), adopted the following conclusions and recommendations for transmission, through the Permanent Council, to the General Assembly of the OAS at its thirty-eighth regular session:

I. HEMISPHERIC TRENDS AND LEGAL AND JUDICIAL COOPERATION IN CRIMINAL MATTERS

Certain processes have taken shape within the REMJA that have proven to be very useful and effective in enhancing legal and judicial cooperation in criminal matters. Noteworthy among them are those related to support for justice reform through the establishment of the Justice Studies Center of the Americas (JSCA); the development of mechanisms for hands-on cooperation, through meetings, networks, and other means of sharing information, experiences, training, and technical cooperation among national officials competent in such areas as mutual assistance in criminal matters and extradition, cyber- crime, trafficking in persons, penitentiary and prison policies, and forensic investigation; the initiative to draw up and adopt a hemispheric plan of action against transnational organized crime; and the forging of many other agreements expressed in the recommendations of REMJA and its working groups and technical meetings, as well as the procedures established to follow up on their implementation; and the reinforcement of cooperation with other regional, sub-regional, and international organizations and bodies in the various areas addressed by the REMJA and its working groups and technical meetings.

REMJA-VII has had the opportunity to receive reports on the progress made since REMJA-VI on the aforementioned thematic areas, and to make specific recommendations on each of them, as expressed in the sections below.

However, REMJA-VII deems it important to make the following recommendations of a general nature in order to continue strengthening legal and judicial cooperation to address hemispheric trends in the criminal area, such as illicit drug trafficking, corruption, and other transnational crimes:

1. That the OAS member states that have not yet done so sign and ratify, ratify, or accede to, as appropriate, as quickly as possible:

- a. The Inter-American Convention against Corruption, and the Declaration on the Mechanism for Follow-up for its implementation (MESICIC) (“Document of Buenos Aires”);
 - b. The Inter-American Convention on Mutual Assistance in Criminal Matters, and its Optional Protocol;
 - c. The Inter-American Convention on Serving Criminal Sentences Abroad;
 - d. The Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA);
 - e. The United Nations Convention against Transnational Organized Crime, and its protocols; and
 - f. The United Nations Convention against Corruption.
2. That the OAS member states that have not yet done so adopt the legislation and other measures required under each of their legal systems to facilitate and ensure implementation of the aforementioned conventions and to provide effective, efficient, and expeditious cooperation in the framework of those conventions, *inter alia*, in mutual assistance, extradition, and the confiscation and/or seizure of assets.
3. That the OAS member states, as necessary, and in full observance of the principles of their legal systems, review domestic laws and enforcement mechanisms with a view towards modernizing the tools to combat current and emerging transnational organized crime challenges, including implementation of laws and other measures:
- a. To ensure that those engaged in transnational organized crime be prosecuted by member states whose laws they violate;
 - b. To combat international trafficking in illegal narcotics, as well as precursor chemicals used to make synthetic drugs;
 - c. To strengthen import and export control laws in order to prevent illicit trafficking of firearms;
 - d. To strengthen the legal systems to prevent drug trafficking;
 - e. To facilitate, when their legal systems allow, and with full respect of civil rights and due process, the interception of wire, oral, and electronic communications and the sharing of that information with other member states for law enforcement purposes;
 - f. To consider, with full respect for state sovereignty, and in accordance with the principles of their domestic legal systems and the provisions of Article 19 of the United Nations Convention against Transnational Organized Crime, the possibility of entering into bilateral or multilateral agreements

which set forth a legal framework for joint investigation teams, as well as the necessity for national legislations to progressively consider this new mechanism for mutual assistance between States.

- g. To promote effective financial investigations aimed at forfeiture of proceeds and instrumentalities of transnational organized crime, including, where it is consistent with its national legal structure, a non-conviction based forfeiture;
 - h. To consider, when its domestic legal system allows and in accordance with international commitments that have been undertaken, the enforcement of foreign orders for freezing, seizure and confiscation, taking into account matters related to asset management prior to confiscation, and the efficient liquidation, proper maintenance and return of forfeited assets;
 - i. To utilize all possible advancements in forensic technology in the fight against transnational organized crime.
 - j. To ensure the effective protection of victims and witnesses, within the framework of criminal procedures, while at the same time promoting that their relocation become viable, through expedited cooperation mechanisms, in accordance with the principles of their domestic legal systems, and consistent with the provisions of articles 24 and 25 of the UN Convention against Transnational Organized Crime; and to urge the OAS member states that have not yet done so, to adopt the legislation and other measures required to that end, within each of their legal frameworks. For this reason, to request that the Secretariat of Legal Affairs of the OAS General Secretariat, prepare a study which would include proposals to facilitate cooperation between interested states in the area of protection of victims and witnesses, and submit it for consideration at the next meeting of the Working Group on Mutual Assistance in Criminal Matters and Extradition. Additionally, this study will also be presented to the Technical Group on Transnational Organized Crime.
4. That the OAS member states that have not yet done so take the necessary measures to establish, and ensure the operations of, the central authorities for reciprocal cooperation in mutual assistance in criminal matters, extradition, and the confiscation and/or seizure of assets, and to ensure that they have the human, material, and financial resources needed to perform their functions effectively, efficiently, and expeditiously.
5. That the OAS member states that have not yet done so take the necessary measures to facilitate, under their constitutional systems, channels of direct communication and ongoing contact among the central authorities responsible for reciprocal cooperation in mutual assistance in criminal matters, extradition, and the confiscation and/or seizure of assets, and to step up procedures and reduce or eliminate factors that contribute to delays in the transmission of and response to requests for cooperation in mutual assistance in criminal matters, extradition, and the confiscation and/or seizure of assets.

6. That the OAS member states take the necessary measures to strengthen the effectiveness of national and international agreements by increasing and developing new economic and human resources to assist in their implementation.
7. That, given the crosscutting nature of cooperation in mutual assistance in criminal matters, extradition, and the confiscation and/or seizure of assets, the REMJA come together as a forum for hemispheric cooperation in these areas, and that the OAS entities, organs, agencies, groups, or mechanisms, in the framework of their respective spheres of competence, take appropriate measures to facilitate and strengthen their cooperation with the REMJA in said areas and to avoid duplication of efforts.
8. That, likewise, efforts continue to strengthen information sharing and cooperation between the REMJA and measures taken in other sub-regional, regional, or international organizations, forums, mechanisms, or bodies, in mutual assistance in criminal matters, extradition, and the confiscation and/or seizure of assets.

II. HEMISPHERIC PLAN OF ACTION AGAINST TRANSNATIONAL ORGANIZED CRIME

1. To express its satisfaction with the progress made in this area in the framework of the OAS, based on agreements that took shape within the REMJA context, reflected, *inter alia*, in the adoption of the Hemispheric Plan of Action against Transnational Organized Crime [resolution CP/RES. 908 (2567/06)] and in the First Meeting of the Technical Group on Transnational Organized Crime, held pursuant to section III of that Plan, in Mexico City, on July 26 and 27, 2007, as well as in the formulation of the conclusions and recommendations of said meeting (document GT/DOT-1/doc.6/07 rev. 1). To express its gratitude to the Government of Mexico for having sponsored this meeting, welcoming the conclusions and recommendations of this first event.
2. To urge the members of the Technical Group on Transnational Organized Crime to meet at least twice yearly.
3. To instruct the Technical Group, with support from the General Secretariat, to present and approve its work plan at its second meeting, so that the plan may be adopted by the Permanent Council, so as to ensure the full implementation of the Hemispheric Plan of Action against Transnational Organized Crime and of the Palermo Convention and the protocols thereto.
4. That, pursuant to section I.1 of the Hemispheric Plan of Action against Transnational Organized Crime, this item remain on the REMJA agenda and that REMJA-VIII be informed of the specific activities carried out under the Plan.

III. CYBERCRIME

1. To express its satisfaction with the outcomes of the Fifth Meeting of the Group of Governmental Experts on Cyber-Crime, held at OAS headquarters, on November 19 and 20, 2007, pursuant to the agreement reached in REMJA-VI.

2. To adopt the recommendations made by the Group of Governmental Experts at its Fifth Meeting (CIBER-V/doc.3/07 rev. 1) and request that its Chair report to the next REMJA on progress with respect to their implementation.
3. That, bearing in mind the recommendations adopted by the Group of Governmental Experts and by the previous REMJA meetings, the states consider applying the principles of the Council of Europe's Convention on Cyber-Crime, acceding thereto, and adopting the legal and other measures required for its implementation. Similarly, to this end, that technical cooperation activities continue to be held under the auspices of the OAS General Secretariat, through the Secretariat for Legal Affairs, and the Council of Europe.

Similarly, that efforts be continued to strengthen the exchange of information and cooperation with other international organizations and agencies in the area of cybercrime, so that the OAS member states may take advantage of progress in those forums.

4. That the Secretariats of the Inter-American Committee against Terrorism (CICTE) and the Inter-American Telecommunication Commission (CITEL) and the Working Group on Cyber-Crime, continue developing the permanent coordination and cooperation actions to ensure the implementation of the Comprehensive Inter-American Cybersecurity Strategy adopted through OAS General Assembly resolution AG/RES. 2004 (XXXIV-O/04).
5. That the Working Group on Cyber-Crime meet before REMJA-VIII, to consider, among other topics, the progress made in implementing the recommendations adopted at its Fifth Meeting, and that it report to REMJA-VIII on the outcomes achieved in this regard.

IV. MUTUAL ASSISTANCE IN CRIMINAL MATTERS AND EXTRADITION

1. To express appreciation for the work undertaken by the OAS/REMJA Working Group on Mutual Assistance in Criminal Matters and Extradition, coordinated by Canada between 2001 and 2007, in promoting the mandates of the REMJA and to support the dissemination on the Hemispheric Information Exchange Network of documents generated by its activities.
2. To express its satisfaction with the Third Meeting of Central Authorities and Other Experts on Mutual Assistance in Criminal Matters and Extradition, held pursuant to the conclusions and recommendations of REMJA-VI, in Bogotá, Colombia, on September 12, 13, and 14, 2007.
3. To note with satisfaction the holding in Trinidad and Tobago, on March 5, 6, and 7, 2008, of a meeting of the OAS/REMJA Working Group on Mutual Assistance in Criminal Matters and Extradition, with the assistance of Colombia as Coordinator and Canada as Vice-Coordinator, for the furtherance of recommendation 5 of the Third Meeting of Central Authorities and Other Experts on Mutual Assistance in Criminal Matters and Extradition, and to support the dissemination on the

Hemispheric Information Exchange Network of documents generated from that meeting.

4. To approve the recommendations adopted at the Third Meeting of Central Authorities and Other Experts on Mutual Assistance in Criminal Matters and Extradition, published in document PENAL/doc.26/07 rev.1 and, in that connection, to request that its Chair report to the next REMJA on progress with respect to their implementation.
5. To actively consider the use of the guidelines for “Best Practices with respect to the Collection of Statements, Documents, and Physical Evidence”; “Best Practices with respect to Mutual Legal Assistance in Connection with the Investigation, Freezing, Seizure, and Confiscation of Assets that are either the Proceeds of or Instrument for Crimes”; and the “Questionnaire on Legal Cooperation in Criminal Matters” (document PENAL/doc.19/07 rev. 1) to orient States in the areas the documents refer to.
6. To actively consider the use of the “Model Law on Mutual Assistance in Criminal Matters” (document PENAL/doc.20/07 rev. 1) as a guide for development of national legislation in this field.
7. To express appreciation for and accept the offer made by the delegation of El Salvador to host the next meeting of the Working Group on Mutual Assistance in Criminal Matters and Extradition, which will take place in 2009.
8. To continue the development of studies and guidelines destined to strengthen hemispheric cooperation in the area of extradition; and that the Chair of the next meeting of the Working Group on Mutual Assistance in Criminal Matters and Extradition report to REMJA VIII on the progress of this project.
9. To continue the discussions on the current project on the preparation of model legislation for the “backing of warrants” in the area of extradition; and that the Chair of the next meeting of the Working Group on Mutual Assistance in Criminal Matters and Extradition report to REMJA-VIII on the progress of this project.
10. To continue supporting the strengthening of the Hemispheric Information Exchange Network for Mutual Assistance in Criminal Matters and Extradition (the Network) and, in that connection, it:
 - a. Expresses its recognition of the progress made by the OAS General Secretariat to elicit additional financing for the Network and its consolidation, maintenance, and extension to all OAS member states.
 - b. Requests states to respond, through their respective central authorities on mutual assistance in criminal matters and extradition, to the requests by the OAS General Secretariat that they complete or update the information on them disseminated in the public and private components of the Network. It also recommends that the OAS General Secretariat continue maintaining those components as an integral part of the OAS Website.

- c. Supports use of the secure electronic communication system as a useful, effective, and efficient tool for direct exchanges of information among the authorities responsible for mutual assistance in criminal matters and extradition and requests the OAS General Secretariat to continue providing, within the resources at its disposal, technical support and assistance services, in addition to online training, to said authorities.
- d. Expresses its gratitude to Spain for the financing it has provided for the operations and strengthening of the Network and for the exchange of information it has fostered with a view to exploring whether practical forms of reciprocal cooperation between the Network and IberRED can be achieved.
- e. Expresses its appreciation to Canada for its technical and financial support in relation to the establishment of the Network and subsequent support until 2006.
- f. To invite OAS member states and OAS permanent observers to consider making voluntary contributions to finance the Network.

V. PENITENTIARY AND PRISON POLICIES

- 1. To express appreciation for and accept the offer made by the delegation of Chile to host the Second Meeting of the Working Group on Penitentiary and Prison Policies, which will take place on August 27, 28 and 29, 2008 in the city of Valdivia.
- 2. To recommend that said meeting give in-depth consideration to the exchange of information and experiences and the strengthening of mutual cooperation on practical solutions for the problems of states in, among other areas, those referred to in recommendation II.3 of REMJA-VI, and as regards systems for awarding penitentiary infrastructure concessions, as one of the possible solutions to overcrowding in penitentiary facilities. Likewise, to begin to consider, among other topics, those mentioned in recommendation II.4 of REMJA-VI.
- 3. To request that REMJA-VIII be informed of the outcomes of the Second Meeting of the Working Group on Penitentiary and Prison Policies.
- 4. To express its gratitude to the Inter-American Commission on Human Rights (IACHR), and its Special Rapporteur for Persons Deprived of Liberty, for having prepared and presented the document "Declaration of Principles on the Protection of Persons Deprived of Freedom in the Americas" and request that the IACHR present this document at the next meeting of the Working Group on Penitentiary and Prison Policies

VI. HEMISPHERIC COOPERATION ON FORENSIC RESEARCH

- 1. To take note of the report presented by the delegation of the Dominican Republic on preparations for the meeting of specialists on forensic sciences, to be held in the

second half of 2008 to consider the items referred to in recommendation VIII.d of REMJA-VI.

2. To request that REMJA-VIII be informed of the results of the meeting of specialists on forensic sciences and other action taken at that meeting.

VII. HEMISPHERIC COOPERATION AGAINST TRAFFICKING IN PERSONS

1. To take note of the report on the progress made with respect to the Conclusions and Recommendations of the First Meeting of National Authorities on Trafficking in Persons, held on the Island of Margarita, the Bolivarian Republic of Venezuela, on March 14, 15, 16 and 17, 2006, pursuant to recommendation VII.2 of REMJA-VI and operative paragraph 3.d of OAS General Assembly resolution AG/RES. 2348 (XXXVII-O/07).
2. To support the convocation of the Second Meeting of National Authorities on Trafficking in Persons, pursuant to operative paragraph 5 of OAS General Assembly resolution AG/RES. 2348 (XXXVII-O/07).
3. To reaffirm the subject of hemispheric cooperation against trafficking in persons as a standing item on the REMJA agenda, and to request that REMJA-VIII be informed of progress with respect to this matter and, in particular, with respect to the results of the Second Meeting of National Authorities on Trafficking in Persons, and of the meeting of the Technical Group on Transnational Organized Crime.
4. That those states that have not yet done so consider signing, ratifying, or acceding to, as the case may be, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, of the United Nations Convention against Transnational Organized Crime, and that they define human trafficking as a crime under their domestic law.

VIII. DEVELOPMENT AND STRENGTHENING OF JUSTICE SYSTEMS IN THE REGION

To express its satisfaction with the Report on Judicial Systems in the Americas 2006-2007, prepared and presented by the Justice Studies Center of the Americas (JSCA), and to request the Center to continue contributing to the processes of reform and strengthening of the criminal justice systems of the member states, through its activities of research, evaluation, dissemination, training, and technical support. In this regard REMJA-VII urges the JSCA to continue publishing the above-mentioned Report.

IX. JUSTICE STUDIES CENTER OF THE AMERICAS (JSCA)

1. To congratulate the JSCA on its work in the Americas since REMJA-VI, especially in evaluating the criminal justice reform process and its leadership in forming a regional working group to promote improvements in civil justice, decisively supporting its promotion of innovative measures calling for reform in this area. It also values the proposals delivered to strengthen the REMJA process.

2. To reiterate its appeal to member states to consider making voluntary contributions to the Justice Studies Center of the Americas (JSCA) to cover its basic costs.
3. To invite the Permanent Observer States and other donors, as set out in article 74 of the General Standards to govern the operations of the General Secretariat and other applicable rules and regulations to make voluntary contributions to the JSCA.

X. HEMISPHERIC LEGAL COOPERATION IN THE AREA OF FAMILY AND CHILD LAW

1. Strengthen the exchange of national experiences and legal and judicial cooperation within the framework of the inter-American system, for those Member States that are a part of the various inter-American conventions, and particularly those conventions on family and child law, in areas such as adoption, return of minors, or child support.
2. To recommend to Member States that they designate central authorities under the various conventions in the inter-American system that so require and to which they are party.
3. To request the OAS General Secretariat, in coordination with the Inter-American Children's Institute (IIN), the compilation and dissemination of that information on the OAS Website, as well as the provision of support for these activities.
4. To recommend that OAS member states consider ratifying or acceding to, as the case may be, the Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance, adopted in November 2007.

XI. THE REMJA PROCESS

1. To express its satisfaction with the holding of the technical meeting, pursuant to recommendation X.2 of REMJA-VI, celebrated at OAS headquarters on March 14, 2008, where significant progress was made on the discussion of the Draft Document on the REMJA Process ("Document of Washington") (REMJA/RT/EPD/doc.2/08 rev. 1), taking into account the recommendation of the OAS/REMJA Working Group on Mutual Assistance in Criminal Matters and Extradition at their meeting celebrated in Montreal, Canada, in March 2007.
2. To adopt the Document on the REMJA Process ("Document of Washington") (REMJA-VII/doc.6/08 rev.1), with the observations made during the informal consultations held on April 28 and 29, 2008, and to request the OAS General Secretariat to distribute the final version of the document and publish it, as stipulated therein.
3. To thank the delegation of the Dominican Republic, which chaired REMJA-VI; the delegation of Mexico, which chaired REMJA-V; and the delegation of the United States, which hosted this meeting, REMJA-VII, for coordinating the convocation of the technical meeting and the drafting and negotiation of the above-mentioned Document on the REMJA Process ("Document of Washington").

4. Similarly, to express appreciation to the delegation of Canada for convening the special meeting of the OAS/REMJA Working Group on Mutual Assistance in Criminal Matters, held in Montreal, Canada, on March 26 and 27, 2007, the report of which was presented to and considered by the technical meeting on the REMJA process, pursuant to recommendation X.3 of the Conclusions and Recommendations of REMJA-VI.

XII. VENUE OF REMJA-VIII

To express appreciation for and accept the offer made by the delegation of Brazil to host REMJA-VIII, which will take place in 2010.

AG/RES. 2370 (XXXVIII-O/08)

FUTURE OF THE INTER-AMERICAN INDIAN INSTITUTE

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

RECALLING resolutions AG/RES. 1718 (XXX-O/00), "Reform of the Inter-American Indian Institute"; AG/RES. 1933 (XXXIII-O/03) and AG/RES. 2046 (XXXIV-O/04), "Support for the Restructuring of the Inter-American Indian Institute"; and AG/RES. 2131 (XXXV-O/05) and AG/RES. 2284 (XXXVII-O/07), "Situation of the Inter-American Indian Institute";

RECOGNIZING that the Inter-American Indian Institute (III) was established in 1940, with the signing of the First International Convention of Pátzcuaro, for the main purpose of fostering collaboration in the coordination of indigenous policies of the member states; requesting, compiling, organizing, and distributing scientific research, legislation, historical archives, and other documents related to the indigenous peoples of the Americas; and carrying out publication and dissemination activities to bring about an increased awareness of indigenous peoples;

RECOGNIZING ALSO that in 1953, the Institute became an inter-American specialized organization of the Organization of American States (OAS), whose status was the subject of the Agreement between the Organization and the Institute dated October 28, 1985;

RECOGNIZING FURTHER the important historical contribution of the III as an institution that promotes indigenous policies in member states and fosters research and the training of individuals dedicated to the development of indigenous communities, and that it contributed to the development of national authorities tasked with addressing the needs of indigenous peoples in the member states;

NOTING the valuable bibliographic, historical, newspaper, and visual archives of the III and the essential need to salvage them and give them wider dissemination;

CONCERNED over the difficult financial situation that the III has endured for a considerable period of time, which significantly hampers its capacity to carry out the plans and achieve the objectives that led to its establishment;

RECOGNIZING that the member states have determined that analysis of the future of the Institute cannot be postponed; and

BEARING IN MIND the need to continue reaffirming and broadening the commitment of states to promote the integral development of indigenous peoples,

RESOLVES:

1. To recognize the important historical contribution made by the Inter-American Indian Institute (III) as a key factor in promoting the development of national and international policies for recognizing, renewing appreciation for, and giving consideration to the indigenous peoples in the Americas, as well as the value of its historical and documentary heritage.

2. To acknowledge that the Inter-American Indian Institute, at the time, in encouraging a closer relationship of state agencies and academia with the cultural, economic, and social reality of indigenous peoples, helped motivate the direct participation of those peoples in the formulation, implementation, and evaluation of policies directed towards their full development.

3. To make the following recommendations on the future of the Institute:

- a. That, acknowledging the financial difficulties faced by the Inter-American Indian Institute, the Executive Committee of the Inter-American Indian Institute evaluate whether it is appropriate to close the Institute, taking into consideration the following:
 - i. Denunciation of the Pátzcuaro Convention by all states still party to that international instrument; or
 - ii. A decision by the Executive Committee of the Institute to close it;
- b. In the event that a decision is made to close the III, that the costs thereof be addressed;
- c. That necessary measures be taken to salvage, maintain, and disseminate the bibliographic, historical, newspaper, and visual archives of the III so that they may be as widely accessible as possible and thus serve as input for research related to indigenous peoples;
- d. That the proposal of the National Autonomous University of Mexico be accepted, considering that it would make it possible to meet the objectives recommended in the preceding paragraph;
- e. That any initiatives respect the multinational nature of the heritage of the III;
- f. That loaning the archives be considered a possibility, or that donating them be considered if it is acceptable to all states;
- g. In the event that the responsible institution decides to stop maintaining the collections, that any future determination be made collectively by the states parties to the Pátzcuaro Convention, if it is still in force, or, if it is not, by the General Assembly of the Organization of American States (OAS);

- h. That measures be taken aimed at disseminating the archives to all the countries in the region and, to that end, that consideration be given to entering into agreements with other libraries to allow access to the digital archives, especially an agreement with the OAS Columbus Memorial Library.
- 4. To request the Permanent Council to report to the Inter-American Indian Institute on these recommendations.

AG/RES. 2371 (XXXVIII-O/08)

MECHANISM TO FOLLOW UP ON IMPLEMENTATION OF THE INTER-AMERICAN
CONVENTION ON THE PREVENTION, PUNISHMENT, AND ERADICATION
OF VIOLENCE AGAINST WOMEN, “CONVENTION OF BELÉM DO PARÁ”

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

HAVING SEEN resolutions AG/RES. 2162 (XXXVI-O/06) and AG/RES. 2330 (XXXVII-O/07), “Mechanism to Follow Up on Implementation of the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women, ‘Convention of Belém do Pará’” (MESECVI), in which the General Assembly took note of the report of the Permanent Council on implementation of the follow-up mechanism; and

CONSIDERING:

That the Convention of Belém do Pará is the only specific, binding international legal instrument on gender-based violence and has become an important framework in which the states parties thereto undertake to implement policies, laws, and national and regional action programs to eradicate violence against women;

That the Statute of the Mechanism to Follow Up on Implementation of the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women, “Convention of Belém do Pará” (MESECVI) has been in effect since 2004, as a means of assessing progress and trends in the fulfillment of the objectives of the Convention and facilitating cooperation among the states parties and with the member states of the Organization of American States (OAS);

That to date 32 member states have ratified the Convention of Belém do Pará;

That, despite the efforts made by the countries of the region, violence against women continues to be an area of special concern;

That the first multilateral evaluation round of the MESECVI has arrived at its final phase, which demonstrates the interest and support of the states parties in building a genuine instrument for progress in punishing and eradicating gender-based violence in the Hemisphere;

That the OAS General Secretariat, through the Permanent Secretariat of the Inter-American Commission of Women (CIM), serves as the secretariat to the organs of the MESECVI, with advice, where appropriate, from the Inter-American Commission on Human Rights (IACHR) and other areas of the General Secretariat; and

That the human and financial resources available to the technical secretariat of the MESECVI are not sufficient to ensure the Mechanism’s full and effective functioning; and the valuable financial and human resources provided by the Government of Mexico to the MESECVI over the past year,

RESOLVES:

1. To take note of the report of the Permanent Council on the activities of the Mechanism to Follow Up on Implementation of the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women, “Convention of Belém do Pará” (MESECVI).

2. To welcome the progress of the first multilateral evaluation round of the MESECVI; and to express its conviction that this exercise will contribute significantly to achievement of the objectives set forth in the Convention.

3. To congratulate the states parties on their efforts to meet the objectives of the Convention; and once again to urge those states that have not yet done so to designate their experts and competent national authorities, so as to ensure the full implementation and success of the Mechanism.

4. To thank the Government of Mexico for its continuing contribution to the Mechanism; and to invite all states parties and states not party to the Convention, permanent observers, international financial institutions, and civil society organizations to contribute to the Specific Fund established in the Organization of American States (OAS) to finance the MESECVI’s operations.

5. To reiterate its gratitude to the Permanent Secretariat of the Inter-American Commission of Women (CIM) for its support of the states parties in the process of implementation of the MESECVI; and to thank it for its important role, as technical secretariat of the Mechanism, in the fulfillment of the objectives of the Convention of Belém do Pará.

6. To urge the states parties to the Convention and all OAS member states to strengthen the MESECVI and hemispheric cooperation in combating violence against women, including the participation of experts in meetings of the Committee of Experts (CEVI).

7. To encourage the states parties to the Convention to provide economic support or human resources to the MESECVI to enable it to comply with its work calendar and to ensure its optimal functioning.

8. To request the Secretary General, in accordance with available financial resources and with the agreement of the Committee on Administrative and Budgetary Affairs (CAAP), to allocate the human, technical, and financial resources needed to enable the CIM to continue supporting the implementation of the MESECVI.

9. To request the Secretary General to explore the possibility of holding a donors’ meeting to make it possible to obtain the resources needed for the MESECVI to function.

10. To thank the Government of the Argentine Republic for hosting the Third Meeting of the Committee of Experts (CEVI) of the MESECVI, in Buenos Aires, Argentina, from July 18 to 20, 2007; and to urge member states to lend their support to enable the meetings of the CEVI to be held in the states parties to the Convention, as far as possible on a rotating basis.

11. To thank the Government of the Bolivarian Republic of Venezuela for its commitment to hosting the Second Conference of States Parties to the Convention of Belém do Pará, to be held on July 9 and 10, 2008, which will consider and adopt the Hemispheric Report on the first multilateral evaluation round of the MESECVI.

12. To request the Permanent Council to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of resources in the program-budget of the Organization and other resources.

AG/RES. 2372 (XXXVIII-O/08)

COORDINATION OF VOLUNTEERS IN THE HEMISPHERE IN RESPONSE
TO NATURAL DISASTERS AND THE FIGHT AGAINST HUNGER
AND POVERTY – WHITE HELMETS INITIATIVE

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

HAVING SEEN the Report of the General Secretariat on the White Helmets Initiative (CP/CG-1738/08), resolutions AG/RES. 1351 (XXV-O/95), AG/RES. 1403 (XXVI-O/96), AG/RES. 1463 (XXVII-O/97), AG/RES. 2018 (XXXIV-O/04), and AG/RES. 2165 (XXXVI-O/06), and declarations AG/DEC. 45 (XXXV-O/05) and AG/DEC. 55 (XXXVII-O/07);

RECALLING that, in the Plan of Action of the First Summit of the Americas (Miami, 1994), the Heads of State and Government committed to creating, organizing, and financing White Helmets volunteers corps at the national and hemispheric levels and invited the Pan American Health Organization (PAHO), the Organization of American States (OAS), and the Inter-American Development Bank (IDB) to participate and help train them;

RECALLING ALSO that, in the Declaration of Mar del Plata of the Fourth Summit of the Americas (Argentina, 2005), the Heads of State and Government reaffirmed their commitment to fight poverty, inequality, hunger, and social exclusion; noted with concern the increased intensity of natural and man-made disasters and their devastating impact on human lives, infrastructure, and economies in the Hemisphere; and called for action at the national, regional, and international levels to strengthen disaster management programs;

REAFFIRMING the need to develop networks, cooperation mechanisms, experience-sharing, and mutual assistance among member states and subregional, regional and international agencies, and the importance of participation by the community and its organizations in the diagnostic assessment of their problems and in preparing tools for disaster prevention and response;

TAKING INTO ACCOUNT that the principal objectives of the White Helmets Initiative are to fight hunger and poverty, prevent, mitigate and respond to the impacts of natural disasters, and reduce vulnerabilities; and that actions undertaken by White Helmets volunteers include, *inter alia*: responding to emergencies, promoting health and education and access to safe drinking water, facilitating transportation, logistics, and operations in the event of disasters, distributing food, and monitoring food aid;

UNDERSCORING that the development of the White Helmets Initiative has contributed to efforts to alleviate critical situations of hunger and poverty in the Hemisphere, wherever they may occur, and has assisted populations affected by natural and other disasters, by promoting an effective and appropriate transition from emergency aid to rehabilitation, reconstruction, and development, in the context of the purposes and principles established in the Charter of the Organization of American States, while also preserving the nonpolitical, neutral, and impartial nature of humanitarian aid;

EMPHASIZING that White Helmets Initiative projects in the Hemisphere led to the organization of the Regional Humanitarian Volunteer Corps Network, which now has 13 National Focal Points, as well as to partnerships with well known international and regional agencies, such as PAHO, the United Nations Food and Agriculture Organization (FAO), the World Food Programme (WFP), the Ibero-American General Secretariat (SEGIB), and the Association of Caribbean States (ACS);

BEARING IN MIND that, in 2007, the Initiative provided humanitarian responses to countries in the Hemisphere hit by natural disasters, such as Hurricanes Dean, Félix, and Noel in Haiti, Nicaragua, and the Dominican Republic, respectively; flooding in Bolivia; the eruption of the Tungurahua volcano in Ecuador; and the major earthquake in Pisco, Peru;

HAVING SEEN the report on the Inter-American Emergency Aid Fund (CP/doc.4290/08 corr. 2); and

CONSIDERING that the Report of the First Meeting of the Inter-American Committee on Natural Disaster Reduction (IACNDR) (CP/CSH-926/07) points out that over the past 30 years, disasters have affected some four million people per year, killing 5,000 of them and causing US\$3.2 billion in material damages,

RESOLVES:

1. To reaffirm its support for the White Helmets Initiative as one of the valuable mechanisms in the Hemisphere for disaster prevention, mitigation, and response and for fighting hunger and poverty.

2. To urge the General Secretariat to continue its support for the development of the White Helmets Initiative.

3. To underscore the execution of 38 projects under White Helmets Initiative agreements with the Organization of American States (OAS) and the Inter-American Development Bank (IDB); and to recognize the participation of 115 international and national volunteer experts, as well as 1,350 volunteers and technical staff from 13 countries who either took part in or received training during those activities, as mentioned in the General Secretariat's report (CP/CG-1738/08).

4. To encourage participating regional organizations to reach a consensus and obtain the resources needed to arrive at a new agreement that would permit new activities designed to consolidate local volunteer corps, risk management, and efforts to fight hunger and poverty in the Hemisphere.

5. To welcome the Cooperation Agreement between the OAS General Secretariat and the World Food Programme on food security in the region, which recognizes the White Helmets Initiative as one of the key operational mechanisms, and the signing of the Agreement with the Pan American Health Organization, which points to the White Helmets and their volunteer network as one of PAHO's providers of logistics and training.

6. To urge other agencies and institutions to enter into partnerships and working agreements with the White Helmets Initiative.

7. To invite those member states that so wish to designate focal points for the White Helmets Initiative and to help strengthen local volunteer corps with a view to enhancing their coordination with the Regional Humanitarian Volunteer Corps Network in the Hemisphere.

8. To instruct the General Secretariat to consider the advisability and feasibility of using a technical team belonging to the Regional Humanitarian Volunteer Corps Network of the White Helmets Initiative as a rapid response mechanism allowing the Organization to go to the scene of a disaster, at the request of the state affected, to coordinate aid and interact with the United Nations Office for Coordination of Humanitarian Affairs, as appropriate, as well as with specialized and local teams.

9. To express its interest in greater coordination of actions between the White Helmets Initiative and the organs, agencies, entities, and mechanisms of the OAS competent in the field of responses to natural disasters and the fight against hunger and poverty, as well as other relevant international agencies.

10. To instruct the Permanent Council to foster discussion of the need to update existing regulatory and coordination mechanisms and to adapt them to the new circumstances and complexities of disasters, to the Hyogo Framework for Action 2005-2015; and to the principles of the United Nations International Strategy for Disaster Reduction.

11. To urge member states to promote debate on disaster prevention management, to facilitate analysis of possible mechanisms for working together with regional agencies, and to include participation by the community and its organizations in the diagnostic assessment of their problems and, above all, in developing prevention and response tools.

12. To urge member states to allocate resources to domestic disaster reduction management and to enhance cooperation with regional agencies where appropriate.

13. To request the General Secretariat to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2373 (XXXVIII-O/08)

SIMÓN BOLÍVAR HUMANITARIAN TASK FORCE

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

RECOGNIZING the urgent need to increase and coordinate humanitarian and technical assistance to ensure a rapid, timely, and effective response to natural and man-made disasters and other emergencies;

REAFFIRMING the importance for member states to develop national strategies and initiatives in the area of mutual assistance and technical cooperation in the event of natural disasters;

RECOGNIZING the important role played by national efforts in risk reduction and disaster response; and reaffirming the importance of international cooperation, particularly at the regional level, in order to strengthen existing national and regional efforts, as well as bodies dedicated to both disaster risk reduction and recovery processes;

CONSIDERING:

That the Heads of State and Government of the Hemisphere, meeting at the First Summit of the Americas, in Miami in December 1994, established guidelines for governments, on a voluntary basis, to establish, organize, and finance a corps of volunteers to work at the national level and, at the same time, be at the disposal of other countries of the Hemisphere and, possibly, the United Nations system, on a stand-by basis, for prevention, relief, rehabilitation, and technical, social, and development cooperation, with the aim of reducing the effects of natural disasters, social and developmental needs, and emergencies;

That effective natural disaster reduction and mitigation is dependent on a high degree of preparedness, mobilization, and coordination of the governments of the countries affected at all levels;

That it is a matter of priority to provide support to and collaborate in efforts to deal with areas affected by any large-scale incident that exceeds local-response capability, as well as to cooperate in activities to prevent, mitigate, prepare for, and warn against natural and other disasters;

That the Simón Bolívar Humanitarian Task Force of the National Civil Defense and Disaster Management Organization of the Bolivarian Republic of Venezuela is a professional, multidisciplinary, and multisectoral unit with the capacity to act in various national and international settings in the area of disaster prevention and response; it has specialized teams to conduct search, rescue, and recovery operations, to provide education and training, to offer psychosocial and medical care to victims, and to plan for and assess situations entailing threats, vulnerability, or risk for the population; and

That the Simón Bolívar Humanitarian Task Force, since its inception, has provided humanitarian assistance, actively and on the basis of solidarity, to countries of Central America, South America, and the Caribbean that have been affected by disasters and have requested international cooperation,

RESOLVES:

1. To recognize the Simón Bolívar Humanitarian Task Force as a national initiative of the Bolivarian Republic of Venezuela, which offers assistance in the Hemisphere for prevention, relief, rehabilitation, and technical, social, and development cooperation, before and after disasters, whether natural or man-made, in the Hemisphere.

2. To welcome the assistance and cooperation activities conducted by the Simón Bolívar Humanitarian Task Force and to encourage its coordination with similar initiatives and organs of the inter-American system and international community engaged in disaster response.

3. To instruct the General Secretariat of the Organization of American States (OAS) to promote, through the Permanent Council, the establishment of similar initiatives.

4. To request the Permanent Council to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2374 (XXXVIII-O/08)

SUPPORT FOR THE INTER-AMERICAN COMMISSION OF WOMEN

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

BEARING IN MIND:

Resolution AG/RES. 2323 (XXXVII-O/07), “Strengthening of the Inter-American Commission of Women,” which urged the Secretary General to take measures to support the work of the Inter-American Commission of Women (CIM) and to promote gender equity and equality within the Organization of American States (OAS) and in the Hemisphere; and

That, according to resolution AG/RES. 2161 (XXXVI-O/06), in the past five years the CIM has received additional priority mandates from the OAS member states without the corresponding budgetary appropriations;

EMPHASIZING:

That resolution AG/RES. 1732 (XXX-O/00), which adopted the Inter-American Program on the Promotion of Women’s Human Rights and Gender Equity and Equality (IAP), requested the General Secretariat to strengthen the Permanent Secretariat of the CIM by providing it with the necessary human and financial resources, and to help it obtain funds from private sources; and

That resolutions AG/RES. 1451 (XXVII-O/97), AG/RES. 1592 (XXVIII-O/98), AG/RES. 1625 (XXIX-O/99), AG/RES. 1777 (XXXI-O/01), AG/RES. 1941 (XXXIII-O/03), AG/RES. 2021 (XXXIV-O/04), AG/RES. 2124 (XXXV-O/05), and AG/RES. 2161 (XXXVI-O/06) repeatedly instructed the General Secretariat and the Permanent Council to make every possible effort to allocate technical, human, and financial resources to the CIM so it would be better equipped to perform its essential activities;

RECALLING that, in compliance with resolution AG/RES. 1741 (XXX-O/00), the CIM is responsible for coordinating the Third Meeting of Ministers or of the Highest-Ranking Authorities Responsible for the Advancement of Women in the Member States (REMIM-III); and

CONSIDERING that the human and financial resources allocated to the CIM in 2007 are still insufficient for it to comply fully with its mandates,

RESOLVES:

1. To reiterate its instruction to the Secretary General to provide the Inter-American Commission of Women (CIM), in its role as a specialized organization of the Organization of American States (OAS), with sufficient human and financial resources to strengthen its ability to carry out its growing mandates.

2. To reiterate its instruction to the Secretary General to include CIM projects and programs among the priorities presented to external donors for funding, and its invitation to individuals and national or international organizations, whether public or private, that wish to do so, to make voluntary contributions to support the development and implementation of CIM projects and programs.

3. To request the Secretary General to report, through the Permanent Council, to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2375 (XXXVIII-O/08)

THE INTER-AMERICAN TELECOMMUNICATION COMMISSION AND
INTEGRATION OF THE PEOPLES OF THE AMERICAS
INTO THE GLOBAL INFORMATION SOCIETY

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

HAVING SEEN:

The 2007 Annual Report of the Inter-American Telecommunication Commission (CITEL) to the General Assembly (CP/doc.4282/08); and

The Report on the Situation of Information and Communication Technologies (ICTs) in the Americas Region (CP/doc.4282/08 add. 1), presented by CITEL;

CONSIDERING:

That the mission of CITEL is to facilitate and promote the harmonious and comprehensive development of telecommunications, including information and communication technologies in the Americas, and to coordinate the efforts of member states and the private sector, ensuring the achievement of those goals for the good of society;

That CITEL plays an important role in facilitating the study of the changing environment of international telecommunications, providing relevant and timely information regarding telecommunication technologies; and

That, by resolution AG/RES. 2259 (XXXVII-O/07), "Strengthening Hemispheric Cooperation in the Framework of Efforts by the Inter-American Telecommunication Commission to Promote Telecommunication Development in the Region," the General Assembly requested CITEL to present an annual report to the General Assembly containing concrete proposals on how to improve the status of information and communication technologies in the countries, for wide dissemination in the member states, the private sector, and other interested groups;

TAKING INTO ACCOUNT:

The important role that telecommunications and information technologies play in the economic and social development of all countries and the provision of universal, sustainable, uniform, and affordable access to information;

The initiatives developed within the framework of implementation of the Agenda for Connectivity in the Americas and the Plan of Action of Quito for the reduction of the digital divide in the region;

The persistence of the digital divide, despite the substantial growth and expansion of telecommunication services, and the hemispheric priority to eliminate this divide;

The increased efficiency and economy that new telecommunication technologies make possible, and the challenges they pose for the public and private sectors;

The positive impact of the increased use of telecommunications and of information technologies on the countries' competitiveness; and

The need of countries that are vulnerable to natural disasters for reliable telecommunication systems;

RECOGNIZING:

The success of CITELE at the 2007 World Radiocommunication Conference, where it submitted 468 inter-American proposals and established numerous joint positions on the issues discussed;

The other achievements of CITELE during 2007, which are highlighted in its annual report and include the following:

- Approval of recommendations that promote network interoperability, the timely adoption of advanced technologies, the protection of critical infrastructure, and regional spectrum harmonization;
- Twenty-six professional development courses in cooperation with the International Telecommunication Union (ITU), which involved the granting of over 300 scholarships for professional telecommunications training;
- The agreement with the ITU for the regional project "Reducing the Digital Divide and Advancing the Information Society in the Americas; and
- The organization of seminars on priority issues, including the following: bridging the standardization divide; fraud in the use of telecommunication systems; the use of telecommunications in natural disaster-relief operations; and technical and regulatory aspects of the effects of non-ionizing electromagnetic emissions; and

CONSIDERING that the Regular Fund resources allocated to CITELE no longer suffice to cover the minimum expenses incurred by the CITELE Secretariat and, consequently, specific funds allocated for the exclusive use of the Permanent Consultative Committees, as per regulations, have been used to cover these costs,

RESOLVES:

1. To congratulate the Inter-American Telecommunication Commission (CITELE) for its achievements in 2007, particularly the progress made in the implementation of the Agenda for Connectivity in the Americas, which seeks to create an inclusive Information Society.

2. To welcome the Report on the Situation of Information and Communication Technologies (ICTs) in the Americas Region, presented by CITELE.
3. To support CITELE in all aspects of telecommunications.
4. To urge member states to continue adopting the measures required to adapt to current trends in the development of telecommunications infrastructure and information technologies.
5. To encourage member states to continue implementing the commitments adopted at the Summits of the Americas with regard to telecommunications and information technologies, and to continue promoting and disseminating CITELE recommendations within their respective Administrations.
6. To urge CITELE and member states of the Organization of American States (OAS) to continue facilitating the development of inter-American proposals, positions, and common views for the 2008 World Telecommunication Standardization Assembly, the 2010 World Telecommunication Development Conference, the 2010 Plenipotentiary Conference, the 2011 World Radiocommunication Conference, and other equally important events sponsored by the International Telecommunication Union.
7. To invite member states to accede to the Tampere Convention on the Provision of Telecommunication Resources for Disaster Mitigation and Relief Operations and to the Inter-American Convention on an International Amateur Radio Permit (IARP) and its Protocol of Amendment.
8. To instruct CITELE to continue assisting member states in the development of strategies to facilitate access to telecommunications infrastructure, particularly in rural areas, as well as in the creation of an effective policy and regulatory framework for telecommunications and the assessment of the various cost models for the provision of accessible and sustainable services to all social strata of the population.
9. To urge member states to increase horizontal cooperation and the exchange of information, experiences, and best practices with regard to telecommunications and information technologies.
10. To request the Secretary General to take into consideration, when preparing the proposed program-budget for 2010 to be presented to the Preparatory Committee of the General Assembly, the financing that will be required for the Fifth Regular Meeting of the CITELE Assembly, to be held in 2010.
11. To request CITELE to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2376 (XXXVIII-O/08)

FREE TRADE AND INVESTMENT IN THE HEMISPHERE

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

RECALLING its resolution AG/RES. 1364 (XXVI-O/96), "Free Trade and Investment in the Hemisphere," through which the Inter-American Juridical Committee (CJI) was instructed to conduct a study on the matter;

RECOGNIZING the opinion of the Inter-American Juridical Committee (CJI/RES. II-14/96), in which the Committee unanimously concluded that "in the significant areas described above the bases and potential application of the legislation which is the subject of this Opinion are not in conformity with international law";

TAKING INTO ACCOUNT resolutions AG/RES. 1447 (XXVII-O/97), AG/RES. 1532 (XXVIII-O/98), AG/RES. 1614 (XXIX-O/99), AG/RES. 1700 (XXX-O/00), AG/RES. 1826 (XXXI-O/01), AG/RES. 1884 (XXXII-O/02), AG/RES. 1914 (XXXIII-O/03), AG/RES. 1976 (XXXIV-O/04), AG/RES. 2063 (XXXV-O/05), AG/RES. 2239 (XXXVI-O/06), and AG/RES. 2301 (XXXVII-O/07); and

CONSIDERING the Report of the Permanent Council on Free Trade and Investment in the Hemisphere (CP/doc.4317/08),

RESOLVES:

1. To take note of the Report of the Permanent Council on Free Trade and Investment in the Hemisphere, presented pursuant to resolution AG/RES. 2301 (XXXVII-O/07).
2. To request the Permanent Council to report to the General Assembly at its thirty-ninth regular session on developments in this regard.

AG/RES. 2377 (XXXVIII-O/08)

CONSOLIDATION OF THE REGIME ESTABLISHED IN THE TREATY FOR THE
PROHIBITION OF NUCLEAR WEAPONS IN LATIN AMERICA AND THE CARIBBEAN
(TREATY OF TLATELOLCO)

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.4820/08), in particular the section on the Committee on Hemispheric Security;

RECALLING its previous resolutions on this topic, especially resolutions AG/RES. 1499 (XXVII-O/97), AG/RES. 1571 (XXVIII-O/98), AG/RES. 1622 (XXIX-O/99), AG/RES. 1748 (XXX-O/00), AG/RES. 1798 (XXXI-O/01), AG/RES. 1903 (XXXII-O/02), AG/RES. 1937 (XXXIII-O/03), AG/RES. 2009 (XXXIV-O/04), AG/RES. 2104 (XXXV-O/05), AG/RES. 2245 (XXXVI-O/06), and AG/RES. 2298 (XXXVII-O/07);

BEARING IN MIND the statement issued by the states of the Hemisphere in the Declaration on Security in the Americas in which they affirmed that the establishment of the first nuclear-weapon-free zone in a densely populated area through the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco) and the protocols thereto constitutes a substantial contribution to international peace, security, and stability;

BEARING IN MIND ALSO that the commemoration of the 41st anniversary of the adoption and opening for signature of the Treaty of Tlatelolco was held in Mexico City on February 14, 2008;

REAFFIRMING that the consolidation of the nuclear-weapon-free zone set forth in the Treaty of Tlatelolco constitutes a firm demonstration of the steadfast commitment of Latin America and the Caribbean to the cause of complete and verifiable nuclear disarmament and the nonproliferation of nuclear weapons, in keeping with the principles and purposes of the Charter of the United Nations;

CONSIDERING that, under Article 1 of the Treaty of Tlatelolco, the Contracting Parties undertook “to use exclusively for peaceful purposes the nuclear material and facilities which are under their jurisdiction, and to prohibit and prevent in their respective territories: (a) the testing, use, manufacture, production or acquisition by any means whatsoever of any nuclear weapons, by the Parties themselves, directly or indirectly, on behalf of anyone else or in any other way, and (b) the receipt, storage, installation, deployment and any form of possession of any nuclear weapons, directly or indirectly, by the Parties themselves, by anyone on their behalf or in any other way,” and that the Contracting Parties also undertook “to refrain from engaging in, encouraging or authorizing, directly or indirectly, or in any way participating in the testing, use, manufacture, production, possession or control of any nuclear weapon”;

CONSIDERING ALSO that Article 17 of the said Treaty states that nothing in its provisions “shall prejudice the rights of the Contracting Parties, in conformity with this Treaty, to use nuclear energy for peaceful purposes, in particular for their economic development and social progress”;

NOTING the dialogue initiated by the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL) with the nuclear-weapon states that are parties to Additional Protocols I and II to the Treaty of Tlatelolco, in relation to the request that they modify or withdraw their declarations on said Additional Protocols;

RECALLING the Santiago de Chile Declaration, adopted by the General Conference of OPANAL at its XIX Regular Session (Santiago, November 7 and 8, 2005);

CONSIDERING the coordination efforts carried out by OPANAL with other denuclearized zones in keeping with the Declaration adopted by the Conference of States Parties and Signatories to Treaties That Establish Nuclear-Weapon-Free Zones (Mexico City, April 26 to 28, 2005);

NOTING the decision of the General Conference of OPANAL to establish, as steps toward its strengthening and in accordance with its resolution CG/Res.496, a transitional period and to appoint a Deputy Secretary General until such time as the financial situation becomes stable and enables the Agency to operate smoothly;

CONVINCED:

That internationally recognized nuclear-weapon-free zones are making an important contribution to the international disarmament and nonproliferation regime as well as to the maintenance of international peace and security; and

That, as stated in the preamble to the Treaty of Tlatelolco, militarily denuclearized zones are not an end in themselves, but rather a means for achieving general and complete disarmament at a later stage;

RECOGNIZING that the Treaty of Tlatelolco has become the model for the establishment of other nuclear-weapon-free zones in various regions of the world, such as the South Pacific (Treaty of Rarotonga), Southeast Asia (Treaty of Bangkok), Africa (Treaty of Pelindaba), and Central Asia (Treaty of Semipalatinsk), which, when they enter into force, will cover more than half the countries of the world and all territories in the Southern Hemisphere; and

UNDERSCORING its firm support for all actions undertaken by the states parties, associated states, and OPANAL to strengthen the denuclearization regime envisaged in the Treaty of Tlatelolco,

RESOLVES:

1. To call upon those states of the region that have not yet done so to sign or ratify the amendments to the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco), adopted by the General Conference of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL) in resolutions 267 (E-V), 268 (XII), and 290 (E-VII).

2. To reaffirm the importance of strengthening OPANAL as the appropriate legal and political forum for ensuring unqualified observance of the Treaty of Tlatelolco in its zone of application and for promoting cooperation with the agencies of other nuclear-weapon-free zones.

3. To reaffirm its commitment to continue striving for a disarmament and nonproliferation regime that is universal, genuine, and nondiscriminatory in every aspect.

4. To call upon OPANAL, to continue, in its area of competence, to maintain ongoing contact with the Committee on Hemispheric Security (CSH) of the Organization of American States (OAS) and report to it periodically on the fulfillment of the commitments undertaken by the states of the region in this resolution and in the Declaration on Security in the Americas, in particular, paragraph 11 of the latter, as they pertain to nonproliferation of nuclear weapons.

5. To entrust the Permanent Council with holding, in the framework of the CSH, a meeting on consolidation of the regime established in the Treaty of Tlatelolco, with the support of OPANAL and the participation of the United Nations and other international organizations competent in the area.

6. To recognize the work of OPANAL in ensuring compliance with the obligations undertaken in the Treaty of Tlatelolco.

7. To support OPANAL's cooperation and coordination mechanisms with the Treaties of Rarotonga, Bangkok, Pelindaba, and Semipalatinsk, with Mongolia, and with those that may be established in the future, as well as with their respective agencies, in order to expedite the achievement of common objectives, as agreed to at the Conference of States Parties and Signatories to Treaties that Establish Nuclear-Weapon-Free Zones, held in Mexico City in April 2005.

8. To request the Permanent Council to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the Organization's program-budget and other resources.

9. To request the OAS Secretary General to forward this resolution to the Secretary-General of the United Nations and to the Secretary General of OPANAL.

AG/RES. 2378 (XXXVIII-O/08)

OBSERVATIONS AND RECOMMENDATIONS ON THE ANNUAL REPORT
OF THE INTER-AMERICAN DRUG ABUSE CONTROL COMMISSION

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

HAVING SEEN the observations and recommendations of the Permanent Council contained in the Annual Report of the Permanent Council to the General Assembly (AG/doc.4820/08) on the annual reports of the organs, agencies, and entities of the Organization of American States (OAS), particularly those pertaining to the 2007 Annual Report of the Inter-American Drug Abuse Control Commission (CICAD) (CP/doc.4285/08 corr. 1);

TAKING INTO ACCOUNT resolution AG/RES. 2343 (XXXVII-O/07), "Observations and Recommendations on the Annual Report of the Inter-American Drug Abuse Control Commission," and other resolutions related to the topic;

CONSCIOUS of the need for continued progress in the fight against the production of illicit crops, drug trafficking, and related crimes, such as money laundering, the illegal distribution via the Internet of internationally controlled licit substances, and the diversion to illicit channels of pharmaceutical products and chemical precursors;

CONSCIOUS ALSO of the need to make greater headway in reducing the demand for illicit drugs and other psychoactive substances for pharmaceutical use;

RECOGNIZING that drug abuse is a public health problem that affects society as a whole, that the member states attach great importance to early prevention of drug abuse in the family, school, workplace, and community, including programs that strengthen values and life skills in children and youth, and that the treatment and rehabilitation of drug abusers is an essential part of national health care systems;

DEEPLY CONCERNED over the existence, in some countries, of armed groups related to drug trafficking, giving rise to situations that can destabilize the institutional order and undermine democratic governance;

RECOGNIZING the links between drug trafficking and transnational organized crime;

CONSIDERING that, with the adoption of the 34 national reports and the Hemispheric Report, the Multilateral Evaluation Mechanism (MEM) concluded the first phase of its Fourth Evaluation Round, 2005-2006;

NOTING WITH SATISFACTION that CICAD has strengthened its cooperation and exchange of information with all pertinent subregional, inter-American, and international bodies;

RECOGNIZING the importance of the participation of CICAD, as the representative body of the region in the fight against drugs, in the process of review of the commitments assumed at the twentieth special session of the United Nations General Assembly (XX UNGASS); and

TAKING NOTE WITH SATISFACTION of the incorporation of the Executive Secretariat of CICAD into the Secretariat for Multidimensional Security of the Organization of American States,

RESOLVES:

1. To thank the Inter-American Drug Abuse Control Commission (CICAD) for its presentation to the General Assembly of its 2007 Annual Report (CP/doc.4285/08 corr. 1); and to congratulate it on the progress made in all aspects of the control of narcotic drugs and psychotropic substances.

2. To reaffirm its commitment to the Multilateral Evaluation Mechanism (MEM) as an objective instrument for measuring the progress made by member states in controlling the illicit drug problem, identifying vulnerabilities and areas for improvement, and strengthening hemispheric solidarity and cooperation.

3. To recommend to member states that they strengthen their national systems for the recovery and management of assets deriving from illicit activities.

4. To instruct the CICAD Group of Experts on Alternative Development to support and make recommendations to the Commission on those matters for which its assistance might be requested.

5. To instruct the CICAD Executive Secretariat to continue to provide technical assistance, training, and support to member states in the areas of drug demand reduction, supply reduction, drug-related research and information systems, alternative development, institution-building, money-laundering control, and education, with a view to strengthening member states' capacities in these fields, and in particular:

- a. In demand reduction, support school- and community-based and workplace substance-abuse and violence-prevention programs; develop, implement, and disseminate scientific evaluation of such programs; and provide guidance on improvement of the quality of and access to drug treatment, rehabilitation, and after-care programs;
- b. Promote the adoption of court-supervised treatment for drug-dependent petty offenders, in accordance with the legislation of each country;
- c. Help member states strengthen their capacities to control the illicit cultivation, production, manufacture, and distribution of drugs and trafficking therein, as well as the chemicals used to produce them and the means and routes employed, with particular attention to new trends and threats such as synthetic drugs and the illegal distribution of internationally controlled licit substances via the Internet;

- d. In accordance with the mandate from the Fourth Summit of the Americas, held in Mar de Plata, Argentina in November 2005, expand the research program on the cost of drugs to society to other member states, with particular emphasis on studies to estimate avoidable costs, and disseminate the results achieved thus far;
- e. Support member states in their efforts to improve their drug information systems, and promote scientific research on the drug problem, particularly through the CICAD Network of Latin American Researchers (REDLA), and encourage academic institutions in the member states to support the work of the national observatories on drugs;
- f. Coordinate its work with that of other international organizations, such as the European Monitoring Centre for Drugs and Drug Addiction and the United Nations Office on Drugs and Crime (UNODC), in order to harmonize procedures and avoid overlapping of activities and financing;
- g. Provide technical assistance and training to member states to strengthen all fundamental aspects of their systems to respond to the drug phenomenon, including the development of specific public policies, the coordination capacity of the diverse public administrations at all government levels (national, regional, and local) and of civil society organizations in the field, modernization of legal and regulatory frameworks, and in general improvement of their technical, operational, and budgetary capacity;
- h. Continue to provide member states with technical assistance and support in the area of money-laundering control, emphasizing measures to improve coordination among the various agencies involved in the process;
- i. Continue, depending on the availability of specific funds for this purpose and in coordination with other areas of the General Secretariat, the technical assistance program to cooperate with the member states in the strengthening of their national systems for recovery and management of assets deriving from illicit activities;
- j. Participate actively and join in the process of review of the commitments undertaken by the member states at the twentieth special session of the United Nations General Assembly (XX UNGASS), and also in meetings on the subject to be held throughout 2008, and in the high-level meeting called for in 2009; and
- k. Support the strengthening and enhancement of national and municipal drug control systems, including human resources training.

6. To request the General Secretariat to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2379 (XXXVIII-O/08)

EXECUTION OF THE HEMISPHERIC PLAN OF ACTION
AGAINST TRANSNATIONAL ORGANIZED CRIME AND
STRENGTHENING OF HEMISPHERIC COOPERATION

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

CONCERNED that the security of the states of the Hemisphere is affected, in various ways, by traditional threats and by new threats, concerns, and other challenges of diverse types, such as transnational organized crime, as well as by the growing complexity and diversity of the activities of organized criminal groups;

RECALLING that in the Declaration on Security in the Americas, adopted at the Special Conference on Security, held in Mexico City in October 2003, the member states condemned transnational organized crime, since it constitutes an assault on institutions in our countries and negatively affects our societies, and therefore renewed the commitment to fighting it by strengthening the domestic legal framework, the rule of law, and multilateral cooperation, respectful of the sovereignty of each state;

BEARING IN MIND:

The Hemispheric Plan of Action against Transnational Organized Crime, adopted by the Permanent Council through resolution CP/RES. 908 (1567/06), for the purpose of preventing and combating transnational organized crime in the framework of the United Nations Convention against Transnational Organized Crime (Palermo Convention) and the three additional protocols thereto—the Protocol against the Smuggling of Migrants by Land, Sea and Air; the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children; and the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition;

Resolution AG/RES. 2026 (XXXIV-O/04), “Fighting Transnational Organized Crime in the Hemisphere,” which laid the foundations for addressing this topic in the Organization;

The conclusions and recommendations of the Meeting of Government Experts to Consider the Advisability of Developing a Hemispheric Plan of Action against Transnational Organized Crime, held on April 18 and 19, 2005, in Washington, D.C., which established, among other things, that it would be advisable to develop such a plan of action;

Resolution AG/RES. 2116 (XXXV-O/05), “Fighting Transnational Organized Crime in the Hemisphere,” which established the Special Committee on Transnational Organized Crime (CEDOT), under the auspices of the Permanent Council, as a mechanism for preparing a plan of action against transnational organized crime, taking as a point of reference the Palermo Convention and the protocols thereto;

Resolution AG/RES. 2189 (XXXVI-O/06), “Fighting Transnational Organized Crime in the Hemisphere,” which authorized the Permanent Council to adopt the Hemispheric Plan of Action against Transnational Organized Crime once the work of the Special Committee had been completed;

The report of the Chair of the Special Committee on Transnational Organized Crime (CE/DOT-56/06), which highlights the efforts carried out to draw up the Hemispheric Plan of Action; and

Resolution AG/RES. 2334 (XXXVII-O/07), “Execution of the Hemispheric Plan of Action against Transnational Organized Crime”;

NOTING WITH SATISFACTION:

The Conclusions and Recommendations of the First Meeting of the Technical Group on Transnational Organized Crime (GT/DOT-I/doc.6/07 rev. 1), held in Mexico City on July 26 and 27, 2007, which will serve as a basis for drawing up the Technical Group’s work program;

The conclusions and recommendations of the Seventh Meeting of Ministers of Justice or Other Ministers or Attorneys General of the Americas (REMJA-VII), held in Washington, D.C., in April 2008; and

The establishment, by Executive Order No. 05-13 Rev. 1, of the Department for the Prevention of Threats against Public Security, which is responsible for coordinating, *inter alia*, the efforts of the General Secretariat of the Organization of American States (OAS) in areas related to the prevention of and the fight against transnational organized crime;

WELCOMING the offer by the Government of the Republic of Trinidad and Tobago to host the Second Meeting of the Technical Group on Transnational Organized Crime during the third quarter of 2008, to further strengthen cooperation among member states; and

RECOGNIZING that it is important that member states improve and strengthen measures designed to eradicate poverty, inequity, and social exclusion, which in some circumstances make vulnerable groups more likely to become victims of the actions of transnational organized crime,

RESOLVES:

1. To promote full implementation of the Hemispheric Plan of Action against Transnational Organized Crime, the principal purpose of which is to further application by member states of the Organization of American States (OAS) of the United Nations Convention against Transnational Organized Crime (Palermo Convention) and the three protocols thereto.

2. To exhort those member states that have not yet done so to consider acceding to or ratifying, as the case may be, and to implement as soon as possible the Palermo Convention and the three protocols thereto, and to participate actively in the Conference of States Parties to the Palermo Convention, including by responding to the self-assessment questionnaires.^{1/}

3. To invite member states that have not yet done so to designate as soon as possible a national point of contact to coordinate and facilitate follow-up to this Hemispheric Plan of Action at the domestic level, pursuant to Section III, paragraph 3, of the Hemispheric Plan of Action against Transnational Organized Crime. With this information, the General Secretariat will prepare a directory, which will be distributed to the member states every six months, thus ensuring that it is kept updated.

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1. The delegation of Colombia wishes to make the following declaration on operative paragraph 2 of the resolution “Hemispheric Plan of Action against Transnational Organized Crime and Strengthening of Hemispheric Cooperation.”

Colombia has ratified the United Nations Convention against Transnational Organized Crime and its Additional Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and is fully committed to their application.

However, Colombia has stated that it will not ratify the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, or the Protocol against the Smuggling of Migrants by Land, Sea and Air.

Colombia does not agree with the text of Article 4, paragraph 2, of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, concerning its scope of application. Colombia would have preferred that the Protocol apply to all transfers of firearms, their parts and components, and ammunition, in order to make a real contribution to preventing and combating illicit trafficking therein, and in order that transfers between states, like all other transfers, be subject to the control mechanisms set out in the Protocol.

The definition of “illicit trafficking” contained in Article 3, section (e), of the Protocol must be borne in mind: it states that, for a transfer to be licit, the authorization of all states parties involved in it is required. An escape clause, such as that appearing in Article 4, runs counter to that definition inasmuch as it implies that a state may transfer arms without the authorization or consent of one of the other states concerned. This would not only make such a transfer illicit but also open up the possibility for arms to be transferred to non-state actors.

Colombia, a country that has been seriously affected by the illicit trafficking in arms, cannot accept that certain arms transfers, such as transfers to non-state actors—which in our view constitute a grave crime—and transfers between states be excluded from the Protocol’s control measures, and therefore, in accordance with the Vienna Convention on the Law of Treaties, took the sovereign decision not to ratify this Protocol.

With reference to the Protocol against the Smuggling of Migrants by Land, Sea and Air, Colombia has stated that it will not ratify this instrument inasmuch as it considers that it contains provisions designed to legitimize the forced repatriation of migrants who have not necessarily been smuggled. That approach was promoted during the negotiation of the Protocol by the destination countries, none of which has ratified the 1990 United Nations Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

Colombia believes that the clause contained in Article 6, paragraph 4, could lead to the criminalization of migrants, whereas the purpose of the Protocol is to pursue criminal groups, not migrants.

Pursuant to the above, and in compliance with the Vienna Convention on the Law of Treaties, Colombia took the sovereign decision not to ratify the Protocol.

4. To request the General Secretariat to collaborate in drawing up the work program of the Technical Group on Transnational Organized Crime on the basis of the document containing the conclusions and recommendations of the first meeting of the Group, for subsequent evaluation and adoption by the Permanent Council.

5. To encourage the member states to continue playing an active part in the fight against transnational organized crime in its diverse manifestations and to adopt the necessary measures for implementation of the Hemispheric Plan of Action against Transnational Organized Crime in their respective countries, and to contribute to the OAS with financial or human resources, or in kind, in order to achieve the objectives established in the Plan of Action.

6. To urge the member states that have not yet done so to submit to the General Secretariat by the end of October 2008 a list of the technical assistance and training they can provide and/or they need, as the case may be, to combat transnational organized crime, so that this information may be incorporated into the assessment prepared by the Department of Public Security of the Secretariat for Multidimensional Security.

7. To urge member states to participate in the Second Meeting of the Technical Group on Transnational Organized Crime, to be held in Trinidad and Tobago during the third quarter of 2008.

8. To instruct the Permanent Council to prepare and consider, through the Committee on Hemispheric Security, the agenda and schedule for the Second Meeting of the Technical Group on Transnational Organized Crime, with assistance from the Secretariat for Multidimensional Security.

9. To urge the Technical Group on Transnational Organized Crime to consider meeting at least once a year to decide on activities and programs to continue implementation of the Hemispheric Plan of Action.

10. To request the General Secretariat to pursue its efforts in training, technical assistance, and capacity-building to prevent, investigate, and eradicate acts of transnational organized crime at the bilateral, subregional, regional, and multilateral levels, in coordination with the United Nations Office on Drugs and Crime and other relevant assistance providers.

11. To instruct the Permanent Council to present a report on the implementation of this resolution to the General Assembly at its thirty-ninth regular session.

12. To request the Permanent Council and the General Secretariat to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2380 (XXXVIII-O/08)

PROMOTION OF HEMISPHERIC COOPERATION
IN DEALING WITH CRIMINAL GANGS

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

RECALLING resolutions AG/RES. 2144 (XXXV-O/05), "Promotion of Hemispheric Cooperation in Dealing with Gangs"; AG/RES. 2247 (XXXVI-O/06), "Promotion of Hemispheric Cooperation in Dealing with Gangs Involved in Criminal Activities"; and AG/RES. 2299 (XXXVII-O/07), "Promotion of Hemispheric Cooperation in Dealing with Criminal Gangs";

HAVING SEEN the presentations by the agencies of the inter-American system and General Secretariat bodies during the special meeting of the Committee on Hemispheric Security to analyze the problem of criminal gangs, held on January 17, 2008;

TAKING NOTE of the comments by member states at that special meeting; and of their concern at the expansion of the phenomenon of criminal gangs to different countries and subregions, in various forms and with various characteristics, as well as at the trend, in some cases, toward more violent forms of behavior and growing links with illicit arms trafficking, illicit drug use and trafficking, extortion, and other offenses;

RECOGNIZING that poverty, inequity, and social exclusion, among other factors, may create conditions conducive to the emergence of criminal gangs;

REAFFIRMING that, in the Declaration of Mar del Plata of the Fourth Summit of the Americas, the Heads of State and Government emphasized their concern over the problem of criminal gangs and related phenomena, and over their impact on the economic and social environment, which threatens the progress our societies have made in their quest for stability, democratization, and sustainable development;

CONSIDERING that there are different categories of gangs, for each of which it is necessary to design and implement targeted, balanced, crosscutting, and comprehensive public policies that combine protection of human rights, effective and fair law enforcement, prevention of violence, rehabilitation, and the reincorporation of the transgressors and their victims;

BEARING IN MIND the opinion of the Inter-American Commission on Human Rights (IACHR) that it is generally agreed "that the quest for initiatives aimed at guaranteeing public security needs to be based on firm principles of respect for human rights";

UNDERSCORING the need for states to cooperate closely with one another and to adopt a regional strategy for dealing with criminal gangs; and

NOTING the conclusions, recommendations, and initiatives emerging from the forums and meetings being held at the subregional level on ways to deal with the criminal gangs problem,

RESOLVES:

1. To instruct the General Secretariat, working in coordination with the competent organs, agencies, and entities of the Organization of American States, to continue to lend coordinated support to initiatives by member states aimed at preventing and fully addressing the phenomenon of criminal gangs in its diverse forms and specific manifestations, as well as the social reinsertion of transgressors.

2. To instruct the General Secretariat to present, through the Department of Public Security of the Secretariat for Multidimensional Security and in coordination with the other pertinent areas of the Secretariat, a proposed background document for discussion of a regional cooperation strategy and to support the preparation of such a strategy.

3. To instruct the Permanent Council to establish, through the Committee on Hemispheric Security, a working group, to replace the Contact Group made up of member states that are concerned or particularly affected by the phenomenon of criminal gangs, for preparing a regional strategy to promote inter-American cooperation in dealing with criminal gangs, paying due heed to the presentations given by the agencies of the inter-American system and by the member states during the special meeting devoted to analyzing the criminal gangs problem.

4. To request the Permanent Council and the General Secretariat to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2381 (XXXVIII-O/08)

INTER-AMERICAN CONVENTION AGAINST THE ILLICIT MANUFACTURING OF
AND TRAFFICKING IN FIREARMS, AMMUNITION, EXPLOSIVES,
AND OTHER RELATED MATERIALS

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.4820/08), in particular the section on the matters entrusted to the Committee on Hemispheric Security;

REITERATING the urgent need for all member states to take the appropriate measures and to cooperate with one another to prevent, combat, and eradicate the illicit manufacturing of and trafficking in firearms, ammunition, explosives, and other related materials, because of the harmful effects of these activities on the security of each state and the region as a whole, since they jeopardize the well-being of people, their social and economic development, and their right to live in peace;

REAFFIRMING the principles of sovereignty, nonintervention, and the juridical equality of states;

UNDERSCORING the importance of the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA) for promoting and facilitating cooperation and the sharing of information and experiences among the states parties with a view to preventing, combating, and eradicating the illicit manufacturing of and trafficking in firearms, ammunition, explosives, and other related materials;

REAFFIRMING the importance of promoting and facilitating cooperation and the sharing of information and experiences among all the states at the bilateral, regional, and international levels, with a view to averting, combating, and eradicating the illicit manufacturing of and trafficking in firearms, ammunition, explosives, and other related materials;

REAFFIRMING ALSO the validity of the decisions adopted by the First Conference of the States Party to the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA), held in Bogotá, Colombia, on March 8 and 9, 2004, and in particular the commitments and measures agreed to in the Declaration of Bogotá on the Functioning and Application of the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (Declaration of Bogotá);

EMPHASIZING that the Second Conference of the States Party to the CIFTA, held in Mexico City on February 20 and 21, 2008, at which the member states adopted the Tlatelolco Commitment, will contribute to implementation of the CIFTA and help counter new threats, in accordance with the Declaration on Security in the Americas;

CONSIDERING that the states of the Hemisphere recognized, in the Declaration on Security in the Americas, adopted on October 28, 2003, in Mexico City, that the illicit manufacturing of and trafficking in firearms, ammunition, explosives, and other related materials are a threat to hemispheric security and, when used by terrorists and criminals, undermine the rule of law, breed violence and, in some cases, impunity, exacerbate conflicts, and represent a serious threat to human security, and that they agreed to combat the illicit manufacturing of and trafficking in firearms, ammunition, explosives, and other related materials;

BEARING IN MIND the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, the hemispheric contribution to its implementation, and the importance of taking concrete measures in the Hemisphere toward implementation of the national, regional, and global components of that Programme of Action;

TAKING NOTE of the efforts of the United Nations to promote implementation of the International Tracing Instrument through practical workshops, including the workshop to be held in Brazil in June 2008;

RECALLING resolutions AG/RES. 1 (XXIV-E/97), AG/RES. 1621 (XXIX-O/99), AG/RES. 1750 (XXX-O/00), AG/RES. 1800 (XXXI-O/01), AG/RES. 1874 (XXXII-O/02), AG/RES. 1972 (XXXIII-O/03), AG/RES. 1999 (XXXIV-O/04), AG/RES. 2094 (XXXV-O/05), AG/RES. 2179 (XXXVI-O/06), and AG/RES. 2341 (XXXVII-O/07), regarding the CIFTA;

CONSIDERING the substantial progress made by the Consultative Committee of the CIFTA, especially the decisions adopted at its ninth regular meeting, held on May 9, 2008;

NOTING WITH SATISFACTION:

The results of the Third Meeting of the Group of Experts to Prepare Model Legislation in the Areas to Which the CIFTA Refers, regarding model legislation on legislative measures to establish as criminal offenses the illicit manufacturing of and trafficking in firearms, ammunition, explosives, and other related materials (Article IV), held on October 15 and 16, 2007, at the headquarters of the Organization of American States (OAS);

The presentation at the Second Conference of the States Party to the CIFTA, held in Mexico City on February 20 and 21, 2008, of national experiences and developments in the framework of the CIFTA, and of the report drawn up by the Technical Secretariat on the level of country compliance with the CIFTA (CIFTA/CEP-II/doc.5/08);

The Work Program for 2008-2009 of the Consultative Committee of the CIFTA, which the Committee adopted at its ninth regular meeting; and

The firearms destruction programs carried out by OAS member states in the framework of the CIFTA, the Declaration of Bogotá, and the Tlatelolco Commitment; and the technical support of the General Secretariat in this area;

HAVING SEEN the report of the Secretary General on the status of signatures and ratifications of the CIFTA and noting that this Convention has been signed by 33 member states and ratified by 27 of them; and

REAFFIRMING the importance of the earliest possible entry into force of the CIFTA in all member states in order to facilitate and guarantee the achievement of its purposes throughout the Hemisphere,

RESOLVES:

1. To urge all member states that have not already done so to give prompt consideration to ratifying or acceding to, as the case may be, the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA), and to adopting all necessary measures for its effective implementation.

2. To endorse the Tlatelolco Commitment adopted by the Second Conference of the States Party to the CIFTA, held in Mexico City on February 20 and 21, 2008.

3. To urge the member states of the Organization of American States (OAS) to incorporate into their national law, as appropriate, legally binding subregional, regional, and international instruments for strengthening border control in the region against illicit trafficking in firearms, ammunition, explosives, and other related materials.

4. To adopt model legislation on the legislative measures to establish as criminal offenses the illicit manufacturing of and trafficking in firearms, ammunition, explosives, and related materials, as well as model legislation on the strengthening of controls at export points for firearms, ammunition, explosives, and other related materials, both of which were approved by the Consultative Committee at its ninth regular meeting, held on May 9, 2008.

5. To encourage the OAS member states to implement, as appropriate, the aforementioned model legislation; and to urge them to request assistance, through the Technical Secretariat, where appropriate, to aid in the development and enactment of this model legislation.

6. To convene, in the framework of the Consultative Committee of the CIFTA, the Fourth Meeting of the OAS Group of Experts to Prepare Model Legislation in the Areas to Which the CIFTA Refers, for January 29 and 30, 2009, at OAS headquarters, to consider draft model legislation on confiscation or forfeiture, pursuant to Article VII of the Convention.

7. To convene, in the framework of the Consultative Committee of the CIFTA, the Fifth Meeting of the OAS Group of Experts to Prepare Model Legislation in the Areas to Which the CIFTA Refers, for October 8 and 9, 2009, at OAS headquarters, to consider draft model legislation on recordkeeping, confidentiality, and exchange of information, pursuant to Articles XI, XII, and XIII of the Convention.

8. To convene, in the framework of the Consultative Committee of the CIFTA, for the last quarter of 2008 at OAS headquarters, a meeting of the appropriate national customs authorities dedicated to enhancing cooperation on the enforcement of international regulations on the movement of firearms, ammunition, explosives, and other related materials.

9. To convene for April 23 and 24, 2009, at OAS headquarters, the Tenth Regular Meeting of the Consultative Committee of the CIFTA, pursuant to Article XXI of the Convention, and likewise to lend support to any appropriate preparatory meetings.

10. To request the General Secretariat to continue organizing, in the framework of the CIFTA, the Declaration of Bogotá on the Functioning and Application of the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (Declaration of Bogotá), and the Tlatelolco Commitment, specialized workshops and training programs on the destruction of small arms, light weapons, and ammunition, on stockpile management, and on the identification, marking, tracing, inventory control, and diversion of firearms, ammunition, and explosives.

11. To request the Consultative Committee to take the necessary measures, with support from the Technical Secretariat, with a view to implementation of the agreements reached in the Tlatelolco Commitment, in particular those mentioned in paragraphs 15 to 20, at its meetings scheduled for this year.

12. To invite the Consultative Committee of the CIFTA to continue reporting periodically to the Committee on Hemispheric Security of the Permanent Council on developments in the implementation of the Declaration of Bogotá and the Tlatelolco Commitment, so that said Committee may take such information into account when preparing coordinated strategies and integrated action plans in connection with the new threats, concerns, and other challenges to hemispheric security.

13. To invite the OAS member states to consider making voluntary contributions, in the form of financial and human resources, to bring about the full implementation of the CIFTA and the strengthening of its Technical Secretariat.

14. To request OAS member states and permanent observers, and international, regional, and subregional organizations interested in the subject, as well as the international community, to consider the possibility of providing the Technical Secretariat with technical, financial, and educational assistance to support the implementation of measures to prevent, combat, and eradicate the illicit manufacturing of and trafficking in firearms, ammunition, explosives, and other related materials.

15. To direct that the meetings of the Consultative Committee, including meetings within this framework, be held within the resources allocated in the program-budget of the Organization and other available resources; and to request the General Secretariat to provide the necessary administrative and technical secretariat support for these purposes.

16. To request the Secretary General to present a report to the General Assembly at its thirty-ninth regular session on the status of signatures and ratifications of the CIFTA.

17. To request the Permanent Council to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2382 (XXXVIII-O/08)

INTER-AMERICAN CONVENTION ON TRANSPARENCY
IN CONVENTIONAL WEAPONS ACQUISITIONS

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.4820/08), in particular the section on the activities of the Committee on Hemispheric Security;

BEARING IN MIND:

That one of the essential purposes of the Organization of American States (OAS) set forth in its Charter is to achieve an effective limitation of conventional weapons that will make it possible to devote the largest amount of resources to the economic and social development of the member states;

That the Inter-American Convention on Transparency in Conventional Weapons Acquisitions recognizes that, in accordance with the Charter of the Organization of American States and the Charter of the United Nations, member states have the inherent right to individual and collective self-defense; and

That the Declaration on Security in the Americas also recognizes that transparency in conventional weapons acquisitions and in defense policies, the limitation of military spending, while maintaining capabilities commensurate with legitimate defense and security needs, as well as other cooperation mechanisms between countries, are important confidence- and security-building measures which contribute to the reduction of tensions and to the strengthening of regional and international peace and security;

CONSIDERING that, in the Plan of Action of the Third Summit of the Americas, held in Quebec City, the Heads of State and Government declared that they would strive to improve the transparency and accountability of defense and security institutions and promote greater understanding and cooperation among government agencies involved in security and defense issues, through such means as increased sharing of defense policy and doctrine papers and personnel and information exchanges, including improving transparency in arms acquisitions;

NOTING WITH SATISFACTION that the Governments of Argentina, Brazil, Canada, Chile, Ecuador, El Salvador, Guatemala, Nicaragua, Paraguay, Peru, Uruguay, and Venezuela have deposited their instruments of ratification or accession, bringing to 12 the number of OAS member states that are states parties to the Inter-American Convention on Transparency in Conventional Weapons Acquisitions; and

NOTING that the Second Meeting of States Parties to the Inter-American Convention on Transparency in Conventional Weapons Acquisitions to Prepare for the 2009 Conference of States Parties was held in Washington, D.C., on April 14, 2008,

RESOLVES:

1. To reaffirm, where applicable, its mandates to the Permanent Council and to the General Secretariat contained in resolution AG/RES. 2268 (XXXVII-O/07), "Inter-American Convention on Transparency in Conventional Weapons Acquisitions," as well as the recommendations to the member states contained therein.

2. To reaffirm its commitment to the principles of the Inter-American Convention on Transparency in Conventional Weapons Acquisitions and other related instruments applicable at the global, regional, and subregional levels.

3. To invite all member states which have not already done so to consider signing, ratifying, and/or acceding to the Convention.

4. To request the Permanent Council to convene, through the Committee on Hemispheric Security, a meeting to consider the functioning and application of the Convention, as well as the preparations for the Conference of States Parties to be held in 2009, extending invitations to attend as observers to non-states parties, relevant regional and international organizations, and civil society organizations.

5. To urge states parties to identify national points of contact by no later than July 15, 2008, for the purpose of contributing to the preparation of annual reports and notifications.

6. To invite states parties, non-states parties, permanent observers, regional and international organizations, and civil society organizations interested in transparency in conventional weapons acquisitions to consider the possibility of offering technical assistance to those states that so request and/or making voluntary contributions to support activities related to the application of the Convention.

7. To request that the General Secretariat, in accordance with Article V of the Convention, contact the permanent observers to the OAS so that they may contribute to the objective of the Convention by providing information annually to the General Secretariat on their exports of conventional weapons to the states parties to the Convention.

8. To request the Secretary General to forward this resolution to the Secretary-General of the United Nations, the Secretary General of the Organization for Security and Co-operation in Europe (OSCE), the Association of South-East Asian Nations Regional Forum (ARF), and other pertinent regional organizations.

9. To request the Secretary General to present a report to the Permanent Council prior to the thirty-ninth regular session of the General Assembly on the status of signatures and ratifications of the Convention and of accessions thereto.

10. To request the Permanent Council to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2383 (XXXVIII-O/08)

FIRST MEETING OF MINISTERS AND HIGH AUTHORITIES OF
SOCIAL DEVELOPMENT WITHIN THE FRAMEWORK OF CIDI

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

HAVING SEEN:

Resolutions CIDI/RES. 160 (IX-O/04), "Inter-American Committee on Social Development"; CIDI/RES. 165 (X-O/05), "Poverty, Equity, and Social Inclusion: Follow-up to the Declaration of Margarita"; CIDI/RES. 172 (X-O/05), "Report of the First Meeting of the Inter-American Committee on Social Development"; CIDI/RES. 186 (XI-O/06), "Activity Report of the Inter-American Committee on Social Development"; CIDI/RES. 198 (XII-O/07), "Hemispheric Cooperation for the Promotion of Social Development: Second Meeting of the Inter-American Committee on Social Development and First Meeting of Ministers and High Authorities of Social Development within the Framework of CIDI"; and CIDI/RES. 206 (XIII-O/08), "First Meeting of Ministers and High Authorities of Social Development within the Framework of CIDI"; and

Resolutions AG/RES. 1984 (XXXIV-O/04), "Inter-American Committee on Social Development"; AG/RES. 2081 (XXXV-O/05), "Poverty, Equity, and Social Inclusion: Follow-up to the Declaration of Margarita"; AG/RES. 2085 (XXXV-O/05), "Report of the First Meeting of the Inter-American Committee on Social Development"; AG/RES. 2210 (XXXVI-O/06), "Activity Report of the Inter-American Committee on Social Development"; and AG/RES. 2311 (XXXVII-O/07), "Hemispheric Cooperation for the Promotion of Social Development: Second Meeting of the Inter-American Committee on Social Development and First Meeting of Ministers and High Authorities of Social Development within the Framework of CIDI";

TAKING INTO ACCOUNT that the Heads of State and Government gathered at the Fourth Summit of the Americas, held in Mar del Plata, Argentina, made the commitment to entrust the First Meeting of Ministers and High Authorities of Social Development within the Framework of CIDI with considering, among other subjects, progress with respect to the commitments made in the Plan of Action of the Fourth Summit of the Americas that pertain to its area of competence;

BEARING IN MIND that the Government of Chile offered to host the First Meeting of Ministers and High Authorities of Social Development within the Framework of CIDI and that, through resolutions CEPCIDI/RES. 142 (CXXXV-O/07), "Convocation of the First Meeting of Ministers and High Authorities of Social Development within the Framework of CIDI," and CEPCIDI/RES. 144 (CXL-O/08), "Change in the Date of the First Meeting of Ministers and High Authorities of Social Development within the Framework of CIDI," the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI) approved its convocation for July 9 and 10, 2008, in Chile; and

TAKING NOTE of the Final Report of the Second Meeting of the Inter-American Committee on Social Development (CIDES) (CIDI/CIDES doc.8/07), held in Washington, D.C., on October 23 and 24, 2007,

RESOLVES:

1. To accept with gratitude the offer by the Government of Chile to host the First Meeting of Ministers and High Authorities of Social Development within the Framework of CIDI, on July 9 and 10, 2008, in Reñaca, Chile.

2. To instruct the Inter-American Committee on Social Development (CIDES) to work together with the Executive Secretariat for Integral Development (SEDI) to provide the necessary support for the preparation of and follow-up to the First Meeting of Ministers and High Authorities of Social Development within the Framework of CIDI.

3. To urge member states to send their ministers and highest authorities in the area of social development to take part in said meeting.

4. To instruct the General Secretariat to provide, through SEDI, the necessary support for the preparation of and follow-up to the First Meeting of Ministers and High Authorities of Social Development within the Framework of CIDI and to report periodically to the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI) on those preparations.

5. To request CIDI to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2384 (XXXVIII-O/08)

REPORT OF THE XV INTER-AMERICAN
CONFERENCE OF MINISTERS OF LABOR

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

HAVING SEEN:

Resolutions CIDI/RES. 181 (XI-O/06), "Report of the XIV Inter-American Conference of Ministers of Labor"; CIDI/RES. 202 (XII-O/07), "XV Inter-American Conference of Ministers of Labor"; and CIDI/RES. 207 (XIII-O/08), "Report of the XV Inter-American Conference of Ministers of Labor"; and

Resolutions AG/RES. 2205 (XXXVI-O/06), "Report of the XIV Inter-American Conference of Ministers of Labor," and AG/RES. 2316 (XXXVII-O/07), "XV Inter-American Conference of Ministers of Labor";

CONSIDERING:

That the XV Inter-American Conference of Ministers of Labor (IACML) was held in Port of Spain, Trinidad and Tobago, from September 11 to 13, 2007, with the technical support of the Executive Secretariat for Integral Development (SEDI), and that at that meeting Trinidad and Tobago was elected Chair pro tempore;

That the dialogue among the Ministers of Labor of the Americas was centered on the topic "Making Decent Work Central to Social and Economic Development"; and

That the XV IACML adopted the Declaration and the Plan of Action of Port of Spain 2007, which are contained in the Final Report of the XV Inter-American Conference of Ministers of Labor (TRABAJO/doc.26/07), along with the Joint Declaration of the Trade Union Technical Advisory Council (COSATE) and the Business Technical Advisory Committee on Labor Matters (CEATAL), and the reports of Working Groups 1 and 2 of the Conference;

TAKING INTO ACCOUNT:

That the Ministers of Labor at the XV IACML analyzed and advanced policies and measures centered on the promotion of decent work in the Americas and addressed issues related to labor and employment as key elements of social and economic development in the context of globalization; and

That meetings of the advisory bodies to the IACML–COSATE and CEATAL–were held during the XV IACML; and

RECOGNIZING:

That, at the Fourth Summit of the Americas, the Heads of State and Government acknowledged the important contributions of the ministries of labor to achieving its objectives of “Creating Jobs to Fight Poverty and Strengthen Democratic Governance” and to promoting decent work and social and labor policies that encourage investment and economic growth with equity; and

That, in the Plan of Action of the Fourth Summit of the Americas, the Heads of State and Government pledged to “promote an inclusive social tripartite and transparent dialogue as an instrument for the proposition of policies and resolution of labor conflicts in order to strengthen the representation and stimulate the participation of unions and of employer organizations in the formulation and implementation of national policies for the promotion of decent work,”

RESOLVES:

1. To endorse the Declaration and the Plan of Action of Port of Spain 2007, adopted by the Ministers of Labor of the Hemisphere at the XV Inter-American Conference of Ministers of Labor (IACML), which form part of this resolution.

2. To urge the Ministers of Labor to continue contributing to the attainment of the objectives established in the Declaration of Port of Spain 2007 of the XV IACML and to carrying out its Plan of Action, in addition to helping develop and achieve the labor-related objectives set by the Heads of State and Government at the Fourth Summit of the Americas in the Declaration of Mar del Plata and its Plan of Action.

3. To take note of the offer made by the Government of the Argentine Republic to host the XVI IACML in 2009.

4. To instruct the General Secretariat, through the Executive Secretariat for Integral Development (SEDI), to work together with labor sector officials to implement the activities and agreements adopted in the Declaration and the Plan of Action of Port of Spain 2007, and to periodically report on this process to the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI).

5. To request CIDI to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

DECLARATION OF PORT OF SPAIN 2007

MAKING DECENT WORK CENTRAL TO SOCIAL AND ECONOMIC DEVELOPMENT

(Adopted at the closing session, held on September 13, 2007)

1. We, the Ministers participating in the XV Inter-American Conference of Ministers of Labor (IACML) of the Organization of American States (OAS), met in Port of Spain, Trinidad and Tobago, from September 11 to 13, 2007, to analyze and advance policies and measures centered on the promotion of decent work in the Americas and to address issues related to labor and employment as key elements of social and economic development in the context of globalization.
2. We note that this IACML is the first one to follow up on the employment and labor aspects of the Declaration and the Plan of Action of the Fourth Summit of the Americas, held in Mar del Plata, Argentina, in November 2005, which adopted as its theme “Creating Jobs to Fight Poverty and Strengthen Democratic Governance.” At the Fourth Summit of the Americas, the Heads of State and Government recognized the vital contributions of ministries of labor to the achievement of the Summit objectives and mandated us to move forward the priorities, decisions, and commitments that they considered urgent and necessary. In this framework we will continue working toward implementation of the Summit objectives with the goal of improving the living conditions of all workers in the Americas. We welcome the offer by the Government of Trinidad and Tobago, and its subsequent acceptance, to host the Fifth Summit of the Americas in 2009.
3. We reaffirm our strong commitment to the principles of inter-American solidarity and cooperation enshrined in the Charter of the Organization of American States (OAS). We recognize that equality of opportunity, the elimination of extreme poverty, equitable distribution of wealth and income, and the full participation of their peoples in decisions relating to their own development are basic objectives of integral development.
4. We reaffirm our support for the Inter-American Democratic Charter, adopted by the OAS in Lima, Peru, in September 2001. We support resolution AG/RES. 2327 (XXXVII-O/07), “Promotion and Strengthening of Democracy: Follow-up to the Inter-American Democratic Charter,” adopted by the OAS General Assembly in June 2007.
5. We reaffirm our willingness to collaborate in the effort to draw up the Social Charter of the Americas and its Plan of Action, being drafted by the Joint Working Group of the Permanent Council and the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI) pursuant to mandates received from the OAS General Assembly. In view of this, we will take into consideration the contributions of employers’ and workers’ representatives through the Trade Union Technical Advisory Council (COSATE) and the Business Technical Advisory Committee on Labor Matters (CEATAL).

6. We recall the Declaration of Mexico of the XIV IACML, held in Mexico City in September 2005, in which we committed to advance a labor agenda in our region promoting dignified employment, placing the person at the center of all economic activities, and stressed that the future of our democracies depends in large measure upon their capacity to generate productive, high-quality, decent, and sustainable jobs. We also recognized the importance of implementing the labor commitments expressed by the Heads of State and Government in the Declarations of the Summits of the Americas, with special attention to the vital objectives of economic growth with equity for reducing poverty and enhancing social development and democratic governance.
7. We reaffirm our commitment to respect, promote, and realize the principles in respect of the fundamental rights contained in the ILO Declaration on Fundamental Principles and Rights at Work, adopted in 1998, and its Follow-up, which cover the following areas: (a) freedom of association and the effective recognition of the right to collective bargaining; (b) the elimination of all forms of forced or compulsory labor; (c) the effective abolition of child labor; and (d) the elimination of discrimination in respect of employment and occupation. We will promote the effective enforcement of our national labor laws, regulations, and standards so as to uphold these principles. We recognize the vital role of democratic systems including labor justice systems in the promotion and application of labor laws. We support the strengthening of labor dispute mechanisms to provide for more expeditious, effective, and transparent resolution of labor disputes.
8. We recognize the importance of ensuring that all children have access to education as a foundation for their development. We will continue to take measures to fulfill the commitment made by our governments at the Fourth Summit of the Americas to eradicate by 2020, at the latest, the worst forms of child labor and reduce the number of children who work in violation of national laws.
9. We will develop national policies and programs to eliminate forced labor before 2010 in accordance with other initiatives established in the Plan of Action of the Fourth Summit of the Americas.
10. We recognize that full and productive employment and decent work are central to sustainable social and economic development. Therefore, we propose to make them main objectives in the planning and formulation of social and economic policies and, at the national level, to integrate government policies on labor, employment, and income with economic, social, educational, financial, trade, and investment policies. Similarly, we commit to supporting the adoption of policies that promote job opportunities, competitiveness, productivity, trade, and investment. We also encourage governments and other relevant institutions, where appropriate, to consider the impact of their policies on full employment and decent work for all, taking into account the challenges and opportunities of promoting decent work in the context of globalization.
11. We call for closer strategic alliances between ministries of labor and other ministries. Likewise, we highlight the role of information and communication technologies (ICTs) as a tool for increasing coordination among those ministries in order to implement integrated policies.

12. We note the significant role of labor policies, regulations, and institutions in promoting decent work. We commit to promoting the revision and effective application of our labor legislation, and policies, as needed, through tripartite and other mechanisms for broad social dialogue with the relevant actors to contribute to the generation of decent work and the enhancement of productivity.
13. We will continue our efforts to strengthen the capacities of ministries of labor in formulating and implementing labor and employment policies and enforcing national labor laws and standards. We will focus special attention on strengthening our labor administration systems, in particular the labor inspection functions.
14. We reaffirm our commitment and support to the strengthening and modernization of ministries of labor through national actions complemented at the regional level that take into account the important role of horizontal cooperation and technical assistance. In this regard, we will continue strengthening the Inter-American Network for Labor Administration (RIAL), created to strengthen the institutional and human capacities of the ministries of labor and act as an integrating mechanism for the dissemination of knowledge and experience among those ministries.
15. We reaffirm our conviction of the role that decent work has in improving the living conditions of the peoples of our Hemisphere and their participation in the benefits of development. We recommit to pursuing actions related to the four strategic objectives of the Decent Work Agenda: promotion of fundamental principles and rights at work, employment, social protection, and social dialogue.
16. We welcome the Decade of Promoting Decent Work, which was declared at the ILO Sixteenth American Regional Meeting (May 2006). We consider the Hemispheric Agenda for generating decent work through the Decent Work Country Programs to be an important and welcome initiative, allowing each country to determine the goals it is in a position to reach, according to its own realities and national priorities, incorporating tripartite formulation, validation, and follow-up mechanisms.
17. We also recognize the invaluable assistance provided by the ILO for promotion of the Decent Work Agenda in the Caribbean through the hosting of the Tripartite Caribbean Employment Forum (TCEF) in October 2006, as well as to the High-Level Group on Employment of MERCOSUR (GANemple) to develop a MERCOSUR Strategy for Growth with Employment, among others. We support the development of Decent Work Country Programs as provided, in general terms, by the Hemispheric Agenda and, in particular, by the Tripartite Declaration and Plan of Action for Realizing the Decent Work Agenda in the Caribbean.
18. We note and commend the high-level international support for the promotion of decent work as a development issue at the thirty-fifth regular session of the OAS General Assembly (June 2005); the 2005 World Summit (September 2005); and the Fourth European Union–Latin American and Caribbean Summit (May 2006).
19. We recall and support the High-Level Segment of the Substantive Session of the United Nations Economic and Social Council held in Geneva, Switzerland, in July 2006, devoted to

promoting the creation of an environment at the national and international levels conducive to generating full and productive employment and decent work for all.

20. We recognize that the future of our peoples rests in the hands of the youth and that there is a window of opportunity for young people to contribute to the development of our societies. We watch with concern the magnitude of youth unemployment, the high number of youth that neither study nor work, and their concentration in precarious jobs. Therefore we will promote programs and projects that will enhance employability, equal opportunity, entrepreneurship, and employment creation for youth including through education, integral human development, training, and lifelong learning that meet labor market requirements. We will also redouble our efforts to achieve the Fourth Summit of the Americas commitment to reduce youth unemployment and significantly lower the percentage of young people that neither study nor work.
21. We recall the Declaration and the Plan of Action of the Fourth Meeting of Ministers of Education of the Hemisphere, held in Scarborough, Trinidad and Tobago, in August 2005, which noted that the greatest opportunity to create local and regional capacity for innovation, creativity, and increased productivity is a well-educated, well-informed, and democratic workforce. We therefore reiterate our support for policies that promote lifelong learning, giving priority to the coordination of employment services, education, and continuous professional training systems, using ICTs, with the goal of generating the necessary technical skills of workers that respond to the demands of the labor market and of supporting workers in their search for labor opportunities. Additionally, we support the ministers of education in their efforts to disseminate student assessment results and other useful information about our education systems. We commit to working closely with the ministers of education and in public-private partnerships to develop programs and actions to achieve these goals.
22. We agree that equal access to employment opportunities is essential for the development of our countries. We recognize that gender is a crosscutting issue and strive to incorporate a gender perspective into the development of all policies, programs, and projects aimed at creating decent work, considering the Inter-American Program on the Promotion of Women's Human Rights and Gender Equity and Equality, adopted by the OAS General Assembly in Guatemala in June 1999. We will continue to promote gender equality at work and we note the Declaration of Mar del Plata of the Fourth Summit of the Americas, which calls for combating gender-based discrimination and for the promotion of equal opportunities to eliminate existing disparities between men and women in the working world. We note further the resolution on the promotion of sustainable enterprises adopted at the 96th Session of the ILO International Labour Conference in 2007, which indicated that "women's economic empowerment is crucial for sustainable societies. It requires equal access to entrepreneurship opportunities, financial services and labour markets."
23. We will promote crosscutting policies to fight all forms of discrimination in the workplace and ensure equal access to the labor market, including for vulnerable groups. In this regard, we commit to promoting actions for prevention and raising awareness, in the area of our competencies, directed against violence and harassment in the workplace.
24. We recognize that the productive capacity of our workforce is hindered by HIV/AIDS and chronic noncommunicable diseases including but not limited to cancer, diabetes, and heart

disease. We commit to promoting the development and implementation of policies that will help reduce discrimination in the workplace against workers with HIV/AIDS. Further we support policies that reduce the incidence of HIV/AIDS and chronic noncommunicable diseases.

25. We reaffirm our commitment to promote and protect the human rights of migrant workers and their families noting, *inter alia*, resolution AG/RES. 2289 (XXXVII-O/07), “The Human Rights of All Migrant Workers and Their Families,” adopted by the OAS General Assembly in Panama in 2007, and the “Inter-American Program for the Promotion and Protection of the Human Rights of Migrants, Including Migrant Workers and Their Families,” adopted by the OAS General Assembly in the United States in 2005. We note the convening of the United Nations High-Level Dialogue on International Migration and Development in September 2006, which sought to identify appropriate ways and means to maximize the developmental benefits of international migration and to reduce its negative impacts. We reaffirm that all migrants, regardless of their immigration status, should be accorded full protection of their human rights and full observance of the labor laws applicable to them, including the principles and labor rights embodied in the ILO Declaration on Fundamental Principles and Rights at Work. In addition, we will promote decent work for migrant workers in the context of the Declaration of Nuevo León and will increase inter-American cooperation and dialogue in accordance with paragraphs 26, 27, and 28 of the Declaration of Mar del Plata, adopted at the Fourth Summit of the Americas.
26. We endorse the position on the informal economy expressed in the Declaration of Mexico of the XIV IACML and at the Fourth Summit of the Americas. The heterogeneous and multidimensional nature of the informal economy poses a challenge in the design and formulation of policies; therefore we consider it essential to promote research in this regard. We will renew our efforts to promote, in collaboration with the competent institutions, a regulatory framework that facilitates the establishment of new enterprises, the promotion of an entrepreneurial spirit, the creation of formal enterprises, and the incorporation of informal enterprises into the formal economy, in order to reduce significantly the levels of unregistered work without social protection.
27. We acknowledge the need for social protection systems that provide broad coverage in our countries and for stronger social security systems aimed at guaranteeing comprehensive benefit coverage. In this regard, and in the area of our competencies, we will contribute to the development of policies that enhance our social security systems with a view to balancing the need for an efficient labor market with effective protection and to providing for transparency, efficiency, and accountability in the collection of contributions and the distribution of social security benefits.
28. We will pursue programs to promote decent work and facilitate the re-entry of workers into the world of work, in the wake of natural disasters.
29. Taking into account the Plan of Action of the Fourth Summit of the Americas and the conclusions of the Second Hemispheric Workshop on Occupational Health and Safety, held in El Salvador in May 2006, we commit to the promotion of regulations and codes on occupational safety and health to ensure the inclusion of measures to promote a culture of prevention and control of occupational hazards in the Hemisphere.

30. We are committed to policies that facilitate the development of productive and competitive enterprises. In this regard, we will take into account the resolution on the promotion of sustainable enterprises, adopted at the 96th Session of the ILO International Labour Conference in 2007. We recognize the contribution of sustainable enterprises, including small and micro enterprises and other production units, to poverty reduction, wealth creation, and employment generation. We will contribute to the creation of an enabling environment for the establishment and growth of these and other enterprises giving special attention to those involved in the production of traditional and indigenous products.
31. We follow with interest the development of the different processes of regional and subregional integration as well as bilateral and multilateral free-trade agreements in the Hemisphere. We understand that it is important to cooperate, within the limits of our competencies, to improve the understanding of the labor dimension, the cooperation mechanisms contained therein, and the impact on employment of these processes.
32. We recognize that social dialogue, collective bargaining, and tripartism are essential elements for building and promoting democratic and inclusive societies. In this regard, we remain committed to strengthening them with the aim of effectively promoting decent work and consolidating a culture of compliance. In this regard, we encourage the strengthening of unions and employers' organizations for effective participation in these processes.
33. We commend COSATE and CEATAL for their continued support to the IACML. We value, as an important step forward, the participation of private-sector and workers' representatives in OAS activities, especially those related to the General Assembly and the Summit of the Americas, in accordance with resolutions adopted by the OAS General Assembly in June 2006 and June 2007.
34. We agree to follow up on the implementation of this Declaration.

WE RESOLVE TO:

- A. Implement a Plan of Action based on this Declaration, on the Declaration and the Plan of Action of the Fourth Summit of the Americas, and on the work of the XIV IACML, and to dedicate the necessary resources to this end.
- B. Establish two Working Groups as follows:

Working Group 1: "Decent work as an instrument for development and democracy in the context of globalization"; and

Working Group 2: "Strengthening the capacities of ministries of labor to respond to the challenges of promoting decent work in the context of globalization."
- C. Encourage countries of the Hemisphere to intensify cooperation, to share knowledge, experiences, and achievements in the area of employment and labor, and to document best practices in promoting decent work for all.

- D. Intensify the dialogue and cooperation with regional and international institutions that have a role to play in the promotion of decent work in the Hemisphere, in particular members of the Joint Summit Working Group, the Organization of American States (OAS), the International Labour Organization (ILO), the Inter-American Commission of Women (CIM), the Inter-American Children's Institute (IIN), the United Nations Economic Commission for Latin America and the Caribbean (ECLAC), the Pan American Health Organization (PAHO), the Inter-American Development Bank (IDB), the Caribbean Development Bank (CDB), the Andean Development Corporation (CAF), the Central American Bank for Economic Integration (CABEI), the Inter-American Institute for Cooperation on Agriculture (IICA), the International Organization for Migration (IOM), the Institute for Connectivity in the Americas (ICA), and the World Bank, among others.

- E. Organize the XVI Inter-American Conference of Ministers of Labor in Argentina in 2009.

PLAN OF ACTION OF PORT OF SPAIN 2007

(Adopted at the closing session, held on September 13, 2007)

1. We, the Ministers of Labor, meeting in Port-of-Spain, Trinidad and Tobago, from September 11 to 13, 2007, on the occasion of the XV Inter-American Conference of Ministers of Labor (IACML) of the Organization of American States (OAS), commit ourselves to implement the following Plan of Action:
 - A. IMPLEMENTATION OF THE PLAN OF ACTION: ORGANIZATION
 2. The Chair *pro tempore* of the XV IACML (Trinidad and Tobago), in collaboration with the former Chair (Mexico) and the future Chair (Argentina), with the support of the Technical Secretariat of the OAS, and in consultation with the representatives of the Trade Union Technical Advisory Council (COSATE), the Business Technical Advisory Committee on Labor Matters (CEATAL), and the Permanent Technical Committee on Labor Matters (COTPAL), will be responsible for promoting the implementation of the Plan of Action and for improving collaboration and coordination with key international institutions, namely, the Organization of American States (OAS), the International Labour Organization (ILO), the Inter-American Commission of Women (CIM), the Inter-American Children's Institute (IIN), the United Nations Economic Commission for Latin America and the Caribbean (ECLAC), the Pan American Health Organization (PAHO), the Inter-American Development Bank (IDB), the Caribbean Development Bank (CDB), the Andean Development Corporation (CAF), the Central American Bank for Economic Integration (CABEI), the Inter-American Institute for Cooperation on Agriculture (IICA), the International Organization for Migration (IOM), the Institute for Connectivity in the Americas (ICA), and the World Bank, among others.
 - B. IMPLEMENTATION OF THE PLAN OF ACTION: RESOURCES
 3. Member states should devote available economic, technical, and logistical resources to implement the Plan of Action and to facilitate the participation of COSATE and CEATAL. In addition, the Chair *pro tempore* will invite the relevant regional and international organizations to make voluntary contributions to support activities and projects included in this Plan of Action and to facilitate the participation of the said worker and employer organizations.
 - C. IMPLEMENTATION OF THE PLAN OF ACTION: WORKING GROUPS
 4. Participation in the Working Groups will be open to all member states, as well as to COSATE and CEATAL. The Chair *pro tempore* will seek the means to ensure the active participation of all member states and COSATE and CEATAL in the Working Groups. The General Secretariat of the OAS will be the Technical Secretariat for the Working Groups, and relevant regional and international organizations will be called upon to provide support and assistance. The main objective of the Working Groups is to advise the IACML on the purposes of the Declaration of Port of Spain. As such, the Groups will examine in greater depth the topics identified in this Plan of Action, provide pertinent information and studies, and follow up on related hemispheric initiatives.

WORKING GROUP 1: DECENT WORK AS AN INSTRUMENT FOR DEVELOPMENT AND DEMOCRACY IN THE CONTEXT OF GLOBALIZATION

5. Working Group 1 will consider decent work as a main focus of its activities, from a perspective that envisages greater integration of economic, social, and labor policies, in order to promote labor and employment as crosscutting themes of public policies. In this sense, the Working Group will continue to build on the work of former Working Group 1, “Labor dimensions of the Summit of the Americas process,” and will continue to examine the social and labor dimensions of globalization.
6. Working Group 1 will conduct the following activities, taking into account the Final Report presented to the XV IACML. Working Group 1, in reviewing the activities, may include new areas as considered necessary:
 - a. Address the needs for greater coordination among the employment, trade, education, health, and environmental sectors of the Hemisphere through increased interaction of the IACML members in the different inter-American environments.
 - b. Entrust the Technical Secretariat with continuing to act as a liaison between the IACML and the Inter-American Program for the Promotion and Protection of the Human Rights of Migrants, Including Migrant Workers and Their Families, adopted by the OAS General Assembly in 2005, providing periodic reports on the issue, and following up on the decisions and actions taken in other regional and international forums on migration topics. Examine and share existing information on the migration phenomenon, and continue our examination of countries’ initiatives to protect the labor rights of migrant workers in accordance with our reaffirmation that all migrants, regardless of their immigration status, should be accorded full protection of human rights and full observance of the labor laws applicable to them, including the principles and labor rights embodied in the ILO Declaration on Fundamental Principles and Rights at Work.
 - c. Continue the analysis, and exchange best practices, on the effective implementation of policies and programs to meet the challenges of the informal sector, particularly with respect to the gradual inclusion of non-registered workers in the formal sector, the extension of social protection to excluded sectors, and further training of workers in the informal economy to facilitate their incorporation into the formal economy. Additionally, examine and share existing information pertinent to the informal economy.
 - d. Support concrete actions regarding the project on gender and employment in the framework of the RIAL/IACML, which has been developed by the Technical Secretariat to identify and systematize experiences on the issue and to achieve gender mainstreaming on labor and employment policies.
 - e. Promote the development of an integrated labor-related and economic approach to the formulation and development of government policies for micro, small, and medium-sized enterprises (MSMEs); and enlist the support of specialized agencies in this regard.

- f. Promote mechanisms that contribute to the creation of an enabling environment for enterprises involved in the production of traditional and indigenous products; and enlist the support of specialized agencies in this regard.
- g. Continue the exchange of good practices and cooperation experiences among the countries of the Hemisphere on existing national and regional plans for the creation of Decent Work and to share information on Decent Work indicators.
- h. Exchange, among the countries of the Hemisphere, projects, programs, and policies which have had positive impacts on youth-employment generation, giving special emphasis to innovative initiatives and to those made under an intersectoral coordination scheme and in partnership with the private sector.
- i. Continue analyzing, within the limits of our competencies, the labor dimension, the cooperation mechanisms contained therein, and the effects on employment of regional and subregional integration processes, as well as of bilateral and multilateral free-trade agreements.
- j. Share information on policies and best practices aimed at reducing both discrimination against workers with HIV/AIDS in the workplace and the incidence of HIV/AIDS and chronic noncommunicable diseases through awareness-raising campaigns and the promotion of a healthy working environment.
- k. Exchange experiences and good practices, from within and outside of the Hemisphere, on social security systems, in particular with respect to comprehensive coverage, benefits, and mechanisms for transparency, efficiency, and accountability in their collection and distribution processes.

WORKING GROUP 2: STRENGTHENING THE CAPACITIES OF MINISTRIES OF LABOR TO RESPOND TO THE CHALLENGES OF PROMOTING DECENT WORK IN THE CONTEXT OF GLOBALIZATION

- 7. Working Group 2 will continue making efforts to increase the institutional capacity of the ministries of labor, with a view to strengthening the promotion of decent work in the context of globalization. In this sense, the Group will continue to build on the work of former Working Group 2, "Building capacity of labor ministries."
- 8. Working Group 2 will conduct the following activities, taking into account the Final Report presented to the XV IACML. Working Group 2, in reviewing the activities, may include new areas as considered necessary:
 - a. Exchange information regarding capacity building of ministries of labor and social partner institutions, including, but not limited to, issues related to coordination, sustainability, and participation of trade unions and employers' organizations.
 - b. Continue discussions on the outcomes and follow-up activities related to the diagnostics of labor-administration systems of those ministries of labor that have requested them, with a view to promoting a better understanding of the challenges

associated with the implementation of recommendations and possible responses to those challenges.

- c. Promote improvements in the organizational structures of the ministries of labor to enable them to be more responsive to the new demands of the labor market; to strengthen competencies in the areas of administration, planning and results-based management; to implement communication strategies; and to improve the competencies of a professional civil service to better perform their responsibilities.
- d. Identify new tools, and effective functional and organizational models, for public employment services (PES), including the upgrading of skills of public employment services personnel. Explore possibilities to coordinate with regional and international agencies the development of joint activities regarding employment. Similarly, continue promoting a holistic approach to PES and enlist the support of regional and international agencies in this regard.
- e. Advance the analysis of new approaches to the training of workforce, with special attention to providing workers with the skills required by the labor market. Examine successful initiatives where workforce development programs are integrated with local economic development strategies, and ministries of labor work in cooperation with other ministries as appropriate, and in partnership with workers and employers.
- f. Analyze the possibility of undertaking a workshop with the participation of key institutions in the promotion of employment and competitiveness such as the ministries of trade, finance, professional training institutions and ministries of education, among others, with the goal of designing overarching strategies to guide the actions of the ministries of labor and the key institutions in the promotion of employment and decent work.
- g. Continue discussions, in collaboration with the ILO, to promote the Fundamental Principles and Rights at Work embodied in the ILO Declaration, giving attention to the role and contributions of trade unions and employers' organizations. Of particular interest are strategies that have been proven to be successful and sustainable. Additionally, Working Group 2 will exchange information on the initiatives to incorporate the fundamental principles and rights at work into educational curricula.
- h. Exchange information on national policies and strategies aimed at fulfilling the Mar del Plata commitment to eradicate the worst forms of child labor by no later than 2020, and the challenges encountered.
- i. Undertake workshops to exchange information on national and regional experiences with social dialogue related to labor issues, including those undertaken within the OAS framework, with an emphasis on examining specific initiatives and programs that have improved the participation of the social partners.
- j. Exchange experiences on initiatives to improve the effective enforcement of labor laws, with particular attention to labor inspectorates at all levels, and to promote a

culture of compliance with labor laws and regulations, including through outreach to and participation by trade unions and employers.

- k. Exchange information concerning normative reforms with the aim of improving the administration of labor justice and making it more expeditious and efficient.
- l. Exchange information and best practices on countries' regulations and codes, as well as strategies, policies, and experiences in the area of occupational safety and health, with a view to promoting a culture of prevention and control of occupational hazards in the Hemisphere.
- m. Exchange best practices of effective policy and program implementation to address the challenges of informal employment, particularly as they relate to the incorporation of non-registered workers into formal employment.
- n. Review best practices designed to prevent and eliminate discrimination in the workplace implemented by ministries of labor, employers' organizations, and trade unions. In this regard, exchange best practices and successful approaches that target specific vulnerable groups, both before and during employment.

D. IMPLEMENTATION OF THE PLAN OF ACTION: DIRECTIVES FOR THE FUNCTIONING OF THE WORKING GROUPS

9. The Working Groups will be coordinated by the following ministries of labor, elected by this Conference, who can perform the functions assigned directly or through a representative:

Working Group 1: Ministers of Labor of Brazil (Chair), the United States (Vice Chair), and Guyana (Vice Chair).

Working Group 2: Ministers of Labor of El Salvador (Chair), Uruguay (Vice Chair), and Canada (Vice Chair).

10. The Working Groups should decide on a timetable for the activities contained in this Plan of Action and establish, by February 2008, procedures and methodologies for their meetings, based on the earlier experiences of the Working Groups. The Working Groups shall meet at least twice before the XVI Inter-American Conference of Ministers of Labor.
11. The Working Groups should consider the dissemination of any public information, jointly with COSATE, CEATAL and governments, in the framework of their activities.

E. IMPLEMENTATION OF THE PLAN OF ACTION: THE INTER-AMERICAN NETWORK FOR LABOR ADMINISTRATION

12. The Inter-American Network for Labor Administration (RIAL, by its Spanish acronym) will continue to be strengthened as the mechanism for cooperation and technical assistance of the IACML. It was created by this Conference to strengthen the institutional and human capacities of the ministries of labor, through an integrating mechanism for dissemination of knowledge and experience.

13. The RIAL will carry out the following activities:
 - a. Identify, organize and disseminate the experience and knowledge of the ministries of labor of the Hemisphere.
 - b. Collect and systematize information regarding programs and projects on priority topics for labor administration.
 - c. Foster critical transfer of the various experiences and lessons learned through workshops and cooperation activities among countries.
 - d. Facilitate communication among ministries of labor, international organizations, financial agencies, workers' and employers' representatives, and representatives of civil society.
 - e. Improve the ability of the ministries of labor to identify their institutional needs and to formulate proposals to receive technical and financial assistance.
 - f. Strengthen coordination and collaboration among international organizations and cooperation agencies.
14. The Technical Secretariat will continue to coordinate RIAL activities, following the priorities defined by the Declaration and the Plan of Action of Port of Spain and with the participation of IACML members.
15. Member states will make every effort to ensure the effective operation of the RIAL, including making financial and technical contributions. In this regard, we entrust the leaders of the IACML (troika and Working Group authorities) to explore participation, decision, and follow-up mechanisms regarding the operation of the RIAL, including its Cooperation Fund, and draw up a proposal in this regard by February 2008. Additionally, the Technical Secretariat will continue exploring possible sources of funding.
16. Member states commit to regularly provide information on their ongoing programs, including best practices to the RIAL Portfolio of Programs. We request the Technical Secretariat to regularly update this Portfolio to provide a reliable, current information base on programs in the Hemisphere as the basis for exchange and horizontal cooperation activities. In this effort, we request the Technical Secretariat to work in coordination with other international agencies.

AG/RES. 2385 (XXXVIII-O/08)

CONTINUING PARTICIPATION IN THE INTER-AMERICAN COUNCIL FOR
INTEGRAL DEVELOPMENT BY MEMBER STATES THAT HAVE NOT
RATIFIED THE PROTOCOL OF MANAGUA

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

HAVING SEEN resolution AG/RES. 2 (XXII-E/96), "Participation of Member States That Have Not Ratified the Protocol of Managua in the Inter-American Council for Integral Development (CIDI) When Said Protocol Enters into Force," and resolutions AG/RES. 1442 (XXVI-O/96), AG/RES. 1507 (XXVII-O/97), AG/RES. 1575 (XXVIII-O/98), AG/RES. 1726 (XXX-O/00), AG/RES. 1815 (XXXI-O/01), AG/RES. 1863 (XXXII-O/02), AG/RES. 1910 (XXXIII-O/03), AG/RES. 1978 (XXXIV-O/04), AG/RES. 2090 (XXXV-O/05), AG/RES. 2214 (XXXVI-O/06), and AG/RES. 2313 (XXXVII-O/07), as well as resolutions CIDI/RES. 24 (II-O/97), CIDI/RES. 42 (III-O/98), CIDI/RES. 83 (IV-O/99), CIDI/RES. 94 (V-O/00), CIDI/RES. 4 (I-E/01), CIDI/RES. 116 (VII-O/02), CIDI/RES. 138 (VIII-O/03), CIDI/RES. 141 (IX-O/04), CIDI/RES. 177 (X-O/05), CIDI/RES. 191 (XI-O/06), CIDI/RES. 200 (XII-O/07), and CIDI/RES. 208 (XIII-O/08), "Continuing Participation in the Inter-American Council for Integral Development by Member States That Have Not Ratified the Protocol of Managua";

EMPHASIZING the amendments made to the Charter of the Organization of American States to incorporate the elimination of extreme poverty as a basic objective of integral development (Protocol of Washington) and to establish an Inter-American Council for Integral Development (CIDI) to promote cooperation among the American states for the purpose of achieving their integral development and, in particular, helping to eliminate extreme poverty (Protocol of Managua); and

CONSIDERING that as of the date of this resolution there are still member states that have not ratified the Protocol of Managua,

RESOLVES:

1. To urge the member states that have signed and not ratified the Protocol of Washington, which incorporates the elimination of extreme poverty as a basic objective of development, and the Protocol of Managua, which establishes the Inter-American Council for Integral Development (CIDI), to consider doing so as soon as possible.

2. To extend the period during which its resolution AG/RES. 2 (XXII-E/96), "Participation of Member States That Have Not Ratified the Protocol of Managua in the Inter-American Council for Integral Development (CIDI) When Said Protocol Enters into Force," will remain in force until the next regular session of the General Assembly, which will review the situation if at that time there are still member states that have not ratified the Protocol of Managua.

3. To request CIDI to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2386 (XXXVIII-O/08)

REPORT OF THE FIFTH MEETING OF MINISTERS OF EDUCATION
WITHIN THE FRAMEWORK OF CIDI

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

HAVING SEEN resolutions AG/RES. 2317 (XXXVII-O/07) and CIDI/RES. 203 (XII-O/07), “Fifth Meeting of Ministers of Education within the Framework of CIDI,” and CIDI/RES. 209 (XIII-O/08), “Report of the Fifth Meeting of Ministers of Education within the Framework of CIDI”;

CONSIDERING:

That the Fifth Meeting of Ministers of Education within the Framework of CIDI was held in Cartagena de Indias, Colombia, from November 14 to 16, 2007, with the support of the Executive Secretariat for Integral Development (SEDI);

That the Ministers of Education reaffirmed that early childhood is a decisive stage in the life cycle of human beings and that comprehensive care at that stage will make it possible to face the challenges of poverty, inequity, and social exclusion; and

That the Fifth Meeting of Ministers of Education adopted the “Hemispheric Commitment to Early Childhood Education” (CIDI/RME/doc.10/07), which is contained in the Final Report of the Meeting (CIDI/RME/doc.11/08); and

TAKING INTO ACCOUNT that it is the responsibility of CIDI, in the context of the Strategic Plan for Partnership for Integral Development 2006-2009, to foster dialogue to promote the development of education as one of its priority areas,

RESOLVES:

1. To congratulate the people and Government of Colombia for the successful organization of the Fifth Meeting of Ministers of Education within the Framework of CIDI.

2. To endorse the “Hemispheric Commitment to Early Childhood Education” (CIDI/RME/doc.10/07), which forms part of this resolution.

3. To urge the Ministers of Education to continue, in coordination with other sectoral authorities, contributing to the achievement of the objectives set forth in the “Hemispheric Commitment to Early Childhood Education.”

4. To request the Inter-American Committee on Education (CIE) to continue implementing the ministerial mandates in its Work Plan, with a special focus on additional efforts to move ahead with comprehensive early childhood care.

5. To instruct the General Secretariat to cooperate, through the Executive Secretariat for Integral Development (SEDI), with education sector and other partner sectoral authorities, to help them implement the actions and agreements adopted, and to report back regularly on this process to the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI).

6. To request CIDI to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

HEMISPHERIC COMMITMENT TO EARLY CHILDHOOD EDUCATION

(Adopted at the ninth plenary session, held on November 16, 2007)

WE, THE MINISTERS OF EDUCATION OF THE MEMBER STATES OF THE ORGANIZATION OF AMERICAN STATES (OAS), gathered in Cartagena de Indias, Colombia, from November 14 to 16, 2007, for the Fifth Meeting of Ministers of Education in the framework of the Inter-American Council for Integral Development (CIDI) of the Organization of American States (OAS),

REAFFIRM, after taking stock of the lessons learned in designing, executing, monitoring, and evaluating early childhood policies, that early childhood is a decisive phase in the human life cycle and that a comprehensive approach to it will allow us to overcome the challenges of poverty, inequity, and social exclusion.

AGREE, for the purposes of this Hemispheric Commitment, that early childhood education is fundamental in the process of comprehensive development of children from birth to eight years of age, and we recognize that it is provided in different ways in different countries, but must include a joint effort by the family, school, and the community to develop effective public policies, as well as the contribution of the various sectors in society.

RECOGNIZE that equitable and timely access to quality and integral education adapted to local contexts and global realities is a human right, a public good, and a political priority, including in the framework of comprehensive care for the very young, and we underscore the need to give priority to the most vulnerable groups and those with special educational needs.

RECOGNIZE the family as the first and irreplaceable medium for educating and taking care of girls and boys, as well as the role of communities and governments in promoting policies of equitable access to quality early childhood education and its effective incorporation into each country's educational system.

UNDERScore the importance for states of promoting and conducting research and evaluation of early childhood education and of disseminating the findings, in order to generate the new knowledge and indicators needed to make better decisions based on empirical evidence. Of particular interest would be research into the relationship between comprehensive care for the very young and repetition and drop-out rates, aggression, and violence at later stages.

REAFFIRM that governments should aspire to guarantee their peoples a quality education for all that: (i) satisfies the basic need to learn, which includes, *inter alia*, creating, reflecting, valuing, participating, knowing, doing, living together, and being; (ii) promotes participation and responsibility on the part of families and the community, the mass media, and local and municipal governments; (iii) fosters the development of factors relating to peace, development, and human rights, education in democratic values and practices, and protection of the environment; and (iv) incorporates technological innovation in order to develop the human skills needed to live in a knowledge society. In order to achieve an education with these characteristics, it is necessary to start in early childhood.

RECOGNIZE the significant progress achieved in education in the region, thanks to governments' and civil society's efforts to guarantee inclusive, quality, and intercultural education adapted to the global, local, and cultural circumstances, sponsored by the investments and institutional reforms set in motion.

UNDERTAKE to redouble our efforts to continue forging a democratic culture in our Hemisphere by implementing the Inter-American Program on Education for Democratic Values and Practices, emphasizing that the values and practices that foster peaceful coexistence begin to be formed in early childhood.

ALSO UNDERTAKE to continue advancing in the development of reliable education indicators through the Regional Educational Indicators Project (PRIE) and to explore ways of developing appropriate early childhood and preschool education indicators, based on existing international efforts. We are convinced that effective policies are based on reliable and timely information and, for that reason, we stress the need to have early childhood indicators based on scientific evidence.

AFFIRM the commitment of states or pertinent authorities to promote quality professional preparation and ongoing development for early childhood education staff, teachers, and technical personnel. We recognize the commitment of educators throughout the Hemisphere to the education of our children and young people.

RECOGNIZE the efforts undertaken by member states to:

- a. Eradicate the worst forms of child labor and reduce the number of children that work in violation of national laws, ensuring educational opportunity for children and youth;
- b. Develop educational plans for youth and adults, including literacy teaching and continuing education in the framework of efforts to eradicate illiteracy;
- c. Advance the development of community, intercultural, and multilingual education;
- d. Encourage and implement strategies for providing education to the most vulnerable groups and others with special educational needs, whether or not they are disability-related;
- e. Forge ahead with the dissemination, appropriate use, and inclusion of information and communication technologies in our countries' educational processes and systems; and
- f. Support the drafting of a Social Charter and its corresponding Plan of Action through the Joint Working Group of the Permanent Council and CEPCIDI on the Draft Social Charter of the Americas.

RECOGNIZE the contributions of the Inter-American Committee on Education (CIE) to the follow-up, implementation, and evaluation of our mandates. We delegate to the CIE the task of following up on and evaluating the agreements reached at this meeting.

RECOGNIZE ALSO the support given to the CIE by the Executive Secretariat for Integral Development (SEDI) through its Department of Education and Culture, and instruct SEDI to continue assisting the Committee with its work of following up on the achievement of our goals.

RECOMMEND to our Heads of State and Government that we make a joint hemispheric commitment to quality education and comprehensive care for the very young, with a view to considering in the Declaration and the Plan of Action of the Fifth Summit of the Americas, to be held in Trinidad and Tobago in 2009, guidelines for strengthening policies for early childhood that may contribute to the integral development of our countries.

AGREE to work together and with other relevant institutions—governmental, international, and civil society—to achieve the following objectives:

- a. Develop legal, ethical, and regulatory frameworks and/or financing mechanisms to ensure sustainable implementation of early childhood policies;
- b. Increase quality comprehensive early childhood education coverage, in accordance with each member state's possibilities and with the long-term goal of universalizing its integral care for the very young;
- c. Establish early childhood comprehensive care and education policies, and procedures and criteria for focusing on care for the poor and vulnerable segments of society, ethnic groups, migrants, and groups with special educational needs;
- d. Implement comprehensive care programs for children that are tailored to their particular needs, characteristics, and contexts;
- e. Coordinate educational sectors and institutions with other national, local, and subnational authorities responsible for providing protection, nutrition, health, culture, and social welfare-related components in such a way as to guarantee the provision of comprehensive early childhood care;
- f. Strengthen quality initial preparation and ongoing professional development for educators in early childhood education, including teachers, families, and communities as the first educational influences;
- g. Formulate policies and educational, interinstitutional, and intersectoral coordination strategies for the successful transition of children between the different stages in early childhood;
- h. Promote mechanisms for evaluating the quality of comprehensive early childhood care and education; and
- i. Encourage communication and dissemination policies regarding comprehensive early childhood care and education.

INSTRUCT the Inter-American Committee on Education (CIE) to implement our mandates in its 2007-2009 Work Plan, paying special attention to the need to supplement efforts to move toward comprehensive care in early childhood. To that end, the CIE should use the document "Guidelines for Early Childhood Education Programming" (CIDI/RME/doc.7/07), which includes *inter alia*, the following activities:

- a. Evaluating comprehensive early childhood care programs with a view to identifying ways of improving them and generating databases to facilitate the exchange of meaningful experiences among countries;
- b. Identifying best practices in comprehensive care programs; experiences with intersectoral coordination; and legal, regulatory and funding frameworks, with a view to designing and implementing bilateral and multilateral technical cooperation agendas; as well as putting in place communication and dissemination strategies for comprehensive care and education for the very young;

- c. Exchanging experiences and practices in the evaluation of children's development in early childhood, and in the training of teachers and other personnel responsible for early childhood care and education;
- d. Strengthening and further developing regional educational indicators for early childhood within the Regional Educational Indicators Project (PRIE);
- e. Broadening the scope of the Educational Portal of the Americas, the Latin American Network of Educational Portals (RELPE), and the educational portals of the member states, with a view to facilitating the sharing of successful experiences and contents among countries, thereby helping to strengthen early childhood care and education policies, and
- f. Fostering the participation of civil society in programs, projects, and strategies for early childhood.

EXPRESS our gratitude to the Government of Colombia for its warm and generous hospitality and its contribution to the success of this Fifth Meeting of Ministers of Education within the Framework of CIDI.

AG/RES. 2387 (XXXVIII-O/08)

ERADICATING ILLITERACY AND FIGHTING DISEASES
THAT AFFECT INTEGRAL DEVELOPMENT

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

HAVING SEEN:

Resolutions CIDI/RES. 180 (XI-O/06), CIDI/RES. 196 (XII-O/07), and CIDI/RES. 210 (XIII-O/08), “Eradicating Illiteracy and Fighting Diseases That Affect Integral Development”; and

Resolutions AG/RES. 2204 (XXXVI-O/06) and AG/RES. 2308 (XXXVII-O/07), “Eradicating Illiteracy and Fighting Diseases That Affect Integral Development”;

TAKING INTO ACCOUNT that achieving integral development entails the consolidation in the Americas of basic and essential goals upon which such development can be built, such as increasing the literacy of our populations and alleviating the diseases that undermine this objective;

CONSIDERING that the Fourth Summit of the Americas set out, in paragraph 13 of the Declaration of Mar del Plata, the commitment of the Hemisphere’s leaders to developing comprehensive policies to institutionalize the fight against poverty, consolidating more democratic societies, with opportunities for all, and promoting greater access to education, health care, labor markets, and credit;

RECALLING that, similarly, Article 34.h of the Charter of the Organization of American States (OAS) speaks of the rapid eradication of illiteracy and the expansion of educational opportunities for all, as one of the basic goals to be pursued in the process of attaining integral development;

RECALLING ALSO that achieving universal primary education and fighting HIV/AIDS, malaria, and other diseases were topics expressly included in the United Nations Millennium Declaration and the Millennium Development Goals derived therefrom;

BEARING IN MIND:

That illiteracy and functional illiteracy are the reason that a large number of people are deprived of the possibility of participating fully in processes aimed at achieving integral development and of receiving its benefits;

That there are major shortcomings and precarious conditions in the health area and in health care provision in the Americas, particularly as regards chronic, emerging, and re-emerging diseases, which in some cases seriously affect the ability of people to participate in the aforesaid processes;

That there is a link between a higher level of literacy in the population and the capacity to have ready access to and benefit from the contents of publicly disseminated materials, programs, or campaigns—of an informative, preventive, or palliative nature—aimed at reducing health-care inequities and improving health conditions in the countries of the Hemisphere;

That, at the Special Summit of the Americas and the Fourth Summit of the Americas, the Heads of State and Government expressed their concern about chronic, emerging, and re-emerging diseases, and pledged to strengthen cooperation and the exchange of information in the fight against these diseases, as well as to develop promotion, prevention, control, and treatment programs, with a view to implementing integral public health actions;

That the Declaration of Scarborough and Commitments to Action, adopted at the Fourth Meeting of Ministers of Education within the Framework of CIDI, recognizes the need to work on the high illiteracy rates in the countries of the region, proposes that the design of a regional literacy program be considered, and entrusts the OAS with studying this possibility;

That the Declaration of Mar del Plata of the Fourth Summit of the Americas supports the recommendations contained in the aforementioned Declaration of Scarborough and Commitments to Action and promotes literacy to ensure a democratic citizenry, foster decent work, fight poverty, and achieve greater social inclusion;

That the Plan of Action of the Fourth Summit of the Americas, calls for the study of a literacy program within the framework of the OAS before 2008, taking into account successful experiences in the field, in order to advance towards the eradication of illiteracy; and

That the Strategic Plan for Partnership for Integral Development 2006–2009 includes, among the priority actions in the area of education, “supporting the efforts of member states to reduce high levels of illiteracy so as to ensure a democratic citizenry, facilitate decent work, fight against poverty, and achieve greater social inclusion for the entire population”;

CONVINCED that full literacy is a fundamental element in achieving more just and inclusive societies, in consolidating democracy in the Americas, and in transmitting such basic democratic values as respect for institutions and individual freedoms, tolerance, and human rights;

CONCERNED about the obstacles to integral development that arise from diseases, principally from those that have a social impact or may be related to poverty or lack of education; and

UNDERSCORING its conviction that the difficulties and challenges posed by illiteracy, poor-quality education, and health problems in the Americas can be overcome only through an approach based on solidarity that involves governments and civil society as a whole, taking into account opportunities to incorporate modules on health into formal education curriculums,

RESOLVES:

1. To reaffirm the determination of the member states, as reiterated in the Declaration and Plan of Action of the Fourth Summit of the Americas and embodied in resolution AG/RES. 2308 (XXXVII-O/07), adopted by the General Assembly of the Organization of American States (OAS) at its thirty-seventh regular session, to take measures and pursue specific programs to achieve full

literacy of the Hemisphere's populations and improve the quality of education at all levels, as well as to overcome diseases that represent obstacles to integral development.

2. To continue, as decided, the process of studying a program to move toward the elimination of illiteracy in the Hemisphere, taking into account successful experiences in the field; and, in that regard, to acknowledge the efforts undertaken in this area in the framework of the Inter-American Committee on Education (CIE) on the proposed "Literacy Initiative" and extend the period for completing this study to December 2008.

3. To recommend that, in that process, consideration be given to best practices in member states; and, to that end, to instruct the General Secretariat to continue conducting, through its relevant technical areas, the study of such practices in the member states, in order to share the results obtained.

4. To recognize the activities carried out by the OAS Department of Education and Culture on the aforementioned initiative, including, among other things, the compilation of data, the strengthening of horizontal cooperation in the area, and the efforts at coordination with other specialized organizations, as well as participation in the regional conference on global literacy: "From Literacy to Lifelong Learning," to be held in Mexico in September 2008.

5. To reiterate its request to the General Secretariat, through the Executive Secretariat for Integral Development (SEDI) and pursuant to operative paragraphs 2, 3, and 4 above, to resolutely support and collaborate with the member states in their efforts related to this matter.

6. To reiterate to the national authorities in the area of education the recommendation that they explore the possibility of setting a tentative date for the eradication of illiteracy in the Americas, bearing in mind the individual characteristics of each member state, in order to attain that goal as soon as possible.

7. To support the member states, through the technical areas of the General Secretariat with specific responsibility in the matter, in their efforts to eradicate illiteracy and improve the quality of education, in coordination, where appropriate, with other regional or international organizations with initiatives in the area, in particular the United Nations Educational, Scientific and Cultural Organization (UNESCO).

8. To express appreciation to the Pan American Health Organization (PAHO) for its presence and contribution at the joint meeting of the Permanent Council and the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI) on March 26, 2008, convened to consider different perspectives and points of view regarding the links between poverty and the health status of communities in the Hemisphere, as well as possible and existing ways of improving those conditions; and to take note of the valuable information provided.

9. To continue strengthening formal dialogue with PAHO, through the strategic partnership between the two organizations, in order to coordinate respective efforts, in the area of competence of each, with regard to health problems in the Americas and their social impact; and to encourage an ongoing exchange between both organizations through, *inter alia*, activities like the one described in the previous paragraph.

10. To reiterate the appeal to the ministers and highest-level authorities in the areas of education and health in the Hemisphere to consider the subject of this resolution.

11. To request the General Secretariat to present an annual report, through SEDI, to the Inter-American Council for Integral Development (CIDI) on the implementation of this resolution.

12. To request CIDI to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2388 (XXXVIII-O/08)

SECOND MEETING OF MINISTERS AND HIGH AUTHORITIES
ON SCIENCE AND TECHNOLOGY IN THE FRAMEWORK OF CIDI

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

HAVING SEEN resolutions CEPCIDI/RES. 145 (CXL-O/08), “Convocation of the Second Meeting of Ministers and High Authorities on Science and Technology in the Framework of CIDI”; AG/RES. 2087 (XXXV-O/05) and CIDI/RES. 174 (X-O/05), “Report of the First Meeting of Ministers and High Authorities on Science and Technology”; and CIDI/RES. 211 (XIII-O/08), “Second Meeting of Ministers and High Authorities on Science and Technology in the Framework of CIDI”;

TAKING INTO ACCOUNT that the Heads of State and Government gathered at the Fourth Summit of the Americas undertook to improve the quality of science teaching and to incorporate science, technology, engineering, and innovation as principal factors in national strategies and plans for social and economic development, for the fundamental purpose of helping to reduce poverty and generate decent jobs, and that, in that regard, they supported the Declaration and Plan of Action of Lima, adopted at the First Meeting of Ministers and High Authorities on Science and Technology in the Framework of CIDI;

TAKING INTO ACCOUNT ALSO:

That the Declaration of the Third Summit of the Americas states that ministerial meetings are producing significant results in support of Summit mandates and that this cooperation will continue to be developed; and

That science and technology has been considered a priority area in the Summits of the Americas process and that this has been reaffirmed in the Strategic Plan for Partnership for Integral Development 2006-2009; and

CONSIDERING:

That it is of the utmost importance to the Hemisphere that at least one ministerial meeting on science and technology be held before the next Summit of the Americas, in order to convey to the highest policy-making levels the priorities, needs, and recommendations of the highest authorities of the Americas in the area of science and technology;

That the Inter-American Committee on Science and Technology (COMCyT) held its fifth regular meeting on September 20 and 21, 2007, at which it accepted the Mexican Government’s offer to host the ministerial meeting and decided to hold it in 2008;

That the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI) received the report of the Fifth Regular Meeting of COMCyT (CIDI/COMCYT/doc.8/07);

That a working meeting of the follow-up group established by COMCyT and the Executive Secretariat for Integral Development (SEDI) was held in Mexico City on February 11 and 12, 2008, to consult on the main topic for the ministerial meeting and its dates, for which October 27 and 28, 2008, were proposed;

That, following consultations, the Government of Mexico proposed as the central theme for the ministerial meeting “Science, Technology, Engineering, and Innovation as Tools for Prosperity”; and

That, on the basis of the Government of Mexico’s offer to host the ministerial meeting, CEPCIDI approved its convocation through resolution CEPCIDI/RES. 145 (CXL-O/08), “Convocation of the Second Meeting of Ministers and High Authorities of Science and Technology,” to be held in Mexico City on October 27 and 28, 2008,

RESOLVES:

1. To thank the Government of Mexico for its generous offer to host the Second Meeting of Ministers and High Authorities on Science and Technology in the Framework of CIDI, in Mexico City on October 27 and 28, 2008.

2. To emphasize the importance of continuing the ministerial dialogue on science and technology in the framework of the Inter-American Council for Integral Development (CIDI).

3. To welcome the Government of Mexico’s proposal of “Science, Technology, Engineering, and Innovation as Tools for Prosperity” as the central theme; and to take note of the three sub-themes proposed: “Science, Technology, Engineering, Innovation, and Public Development Policies”; “Science, Technology, Engineering, and Innovation as Tools for Sound Natural Resource Management”; and “Science, Technology, Engineering, and Innovation as Tools for Increasing Competitiveness.”

4. To urge member states to send their highest authorities in the area of science and technology to take part in the aforementioned meeting.

5. To instruct the General Secretariat, through the Executive Secretariat for Integral Development (SEDI), to lend the necessary support to preparations for, and follow-up to, the Second Meeting of Ministers and High Authorities on Science and Technology in the Framework of CIDI and to report periodically to the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI) on the preparations.

6. To request CIDI to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2389 (XXXVIII-O/08)

ERADICATION OF HUNGER: 2008 - INTERNATIONAL YEAR OF THE POTATO

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

HAVING SEEN resolution CIDI/RES. 212 (XIII-O/08), "Eradication of Hunger: International Year of the Potato";

CONSIDERING:

That the Charter of the Organization of American States (OAS) establishes as one of the Organization's essential purposes the eradication of extreme poverty, which constitutes an obstacle to the full democratic development of the peoples of the Hemisphere; and that the member states have agreed, among other basic aims, to devote their utmost efforts to achieving adequate nutrition, especially through the acceleration of national efforts to increase the production and availability of food; and

That the United Nations General Assembly, by its resolution 60/191 (68th plenary meeting, December 22, 2005), declared 2008 as the "International Year of the Potato," taking into consideration that potato is a staple food in the diet of the world population and affirming the need to focus world attention on the role that the potato can play in providing food security and eradicating poverty, in support of achievement of the Millennium Development Goals;

CONSIDERING ALSO:

That, in the Declaration of Mar del Plata of the Fourth Summit of the Americas (Argentina, 2005), the Heads of State and Government reaffirmed their "commitment to fight poverty, inequality, hunger, and social exclusion in order to raise the standard of living of our peoples and strengthen democratic governance in the Americas"; and

That the Declaration of Nuevo León of the Special Summit of the Americas (Mexico, 2004) recognizes that overcoming poverty, hunger, and social inequality are major challenges facing many countries of the Hemisphere in the 21st first century;

RECALLING that the potato originated in the environs of Lake Titicaca, and that from there its cultivation spread to all the Andean countries, where it was deemed the "people's food" and played a central role in the Andean world view; and

BEARING IN MIND:

That at the High-Level Meeting on Poverty, Equity, and Social Inclusion, held on Isla Margarita, Venezuela, from October 8 to 10, 2003, which adopted the Declaration of Margarita (RANPEIS/DEC. 1/03), the authorities of the OAS member states with responsibility for social development policies and programs expressed their commitment to seeing that the Inter-American

Council for Integral Development (CIDI), as the hemispheric political forum for dialogue in combating poverty, contributes to the follow-up, evaluation, and monitoring of the eight development goals established in the United Nations Millennium Declaration;

Resolution AG/RES. 2332 (XXXVII-O/07), “The Importance of Nutrition for Achieving Healthier Populations and Integral Development,” which reaffirmed the will of the member states to strengthen cooperation in the struggle against chronic, emerging, and re-emerging diseases and to strengthen, within national health systems, primary health-care actions as a step to prevent diseases, their causes—such as malnutrition—and their consequences, and to reduce morbidity; and urged them to join forces to reduce rates of malnutrition and poor nutrition due to deficit or excess intake of food; and

Resolution AG/RES. 2346 (XXXVII-O/07), “Support for Efforts to Eradicate Child Nutrition in the Americas,” which urged the member states “to give top priority in their poverty reduction strategies to eradication of child malnutrition in the Hemisphere” and urged the region to promote horizontal cooperation in the region and to strengthen national bodies dedicated to coordinating efforts to combat child malnutrition,

RESOLVES:

1. To welcome with satisfaction the declaration of 2008 as the “International Year of the Potato.”
2. To request the organs, agencies, and entities of the inter-American system to contribute, within their areas of competence, to the efforts of the member states to reduce rates of malnutrition in the Hemisphere by providing support for food crops, *inter alia*, the potato.
3. To request that the Inter-American Council for Integral Development (CIDI), with the support of the General Secretariat, report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2390 (XXXVIII-O/08)

STRENGTHENING PARTNERSHIP FOR DEVELOPMENT: POLICY DIALOGUE,
TECHNICAL COOPERATION, STRUCTURE, AND MECHANISMS

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

HAVING SEEN:

Resolutions CIDI/RES. 192 (XI-O/07), “Strengthening Mechanisms for Policy Dialogue for Integral Development”; CIDI/RES. 193 (XII-O/07), “Strengthening Technical Cooperation for Integral Development”; CIDI/RES. 194 (XII-O/07), “Strengthening Substantive Policy Dialogue in the Framework of the Inter-American Council for Integral Development”; and CIDI/RES. 213 (XIII-O/08), “Strengthening Partnership for Development: Policy Dialogue, Technical Cooperation, Structure, and Mechanisms”; and

Resolutions AG/RES. 2303 (XXXVII-O/07), “Strengthening Mechanisms for Policy Dialogue for Integral Development”; AG/RES. 2304 (XXXVII-O/07), “Strengthening Technical Cooperation for Integral Development”; and AG/RES. 2305 (XXXVII-O/07), “Strengthening Substantive Policy Dialogue in the Framework of the Inter-American Council for Integral Development”;

REAFFIRMING the content of each of the preambular and operative paragraphs of the resolutions mentioned in the preceding paragraph;

REITERATING the importance of strengthening the Inter-American Council for Integral Development (CIDI) and its organs, as well as mechanisms for policy dialogue and technical cooperation, with the purpose of improving its work;

TAKING INTO ACCOUNT:

The important mandates of CIDI and those emanating from the sectoral meetings of ministers and high-level authorities in the economic, social, educational, cultural, labor, tourism, sustainable development, and scientific and technological areas, as well as the Strategic Plan for Partnership for Integral Development 2006-2009; and

The importance for member states to engage in substantive policy dialogue at CIDI meetings on topics of common interest, making it possible to achieve progress in the formulation of policies, the definition of priorities, and the development of specific actions aimed at promoting integral development in the Hemisphere;

TAKING INTO ACCOUNT ALSO:

That a process of reflection and consultation is under way within the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI) on policy dialogue

mechanisms within CIDI and the present structure of partnership for development, exploring diverse options for strengthening it; and

That, in its 2007-2008 Work Plan, CEPCIDI decided to give priority to this process of reflection and consultation and that, in this regard, a day of reflection was convened, for February 4, 2008, in order to learn about the scope of the work of the Executive Secretariat for Integral Development (SEDI), exchange views on the direction integral development should take within CIDI/OAS, and determine how to move forward jointly and in a coordinated manner to invigorate existing mechanisms and make them more efficient, effective, and transparent;

RECALLING:

That CEPCIDI, on the basis of the many valuable contributions received from the member states on the focus and priorities of the role and mandates of CIDI, decided to form and install a working group with the mandate of “considering the various options for strengthening CIDI and its organs and improving their functioning”;

That, at the Thirteenth Regular Meeting of CIDI, held on May 14 and 15, 2008, at OAS headquarters in Washington, D.C., a joint dialogue was held for the first time with the officers of the inter-American committees and of the Inter-American Conference of Ministers of Labor, for the purpose of better coordinating their work and of learning first-hand about their activities and achievements and the challenges they face in implementing their mandates; and

That, according to the mandate issued in resolution AG/RES. 2304 (XXXVII-O/07), “Strengthening Mechanisms for Policy Dialogue for Integral Development,” the Government of Mexico offered to host the special technical meeting in which national cooperation authorities and experts would participate to consider the possibility of implementing cooperation mechanisms and modalities that make the most efficient use of the capacities of the OAS as a multilateral organization and of the capacities of all member states, through cooperation among states at different levels of development in projects of particular benefit to the relatively less developed countries; and

CONSIDERING that the report of the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI) indicates that some mandates remain pending, which fully justifies their being reiterated and renewed, in the interest of strengthening inter-American cooperation for integral development,

RESOLVES:

1. To reiterate and renew the contents and pending mandates of resolutions AG/RES. 2303 (XXXVII-O/07), “Strengthening Mechanisms for Policy Dialogue for Integral Development”; AG/RES. 2304 (XII-O/07), “Strengthening Technical Cooperation for Integral Development”; and AG/RES. 2305 (XII-O/07), “Strengthening Substantive Policy Dialogue in the Framework of the Inter-American Council for Integral Development.”

2. To recognize the work of the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI) in the process of reflection and consultation on mechanisms for policy dialogue within the Inter-American Council for Integral Development (CIDI) and the present structure of partnership for development, and in particular the establishment of the

CEPCIDI working group with the mandate of “considering the various options for strengthening CIDI and its organs and improving their functioning.”

3. To accept with gratitude the offer by the Government of Mexico to host the special technical meeting on September 23 and 24, 2008, with the participation of national cooperation authorities and experts, pursuant to the mandate issued in resolution AG/RES. 2304 (XXXVII-O/07), “Strengthening Mechanisms for Policy Dialogue for Integral Development.”

4. To request that, when CEPCIDI considers possible courses of action to strengthen CIDI, its organs, and mechanisms for policy dialogue and technical cooperation, should it find it necessary to amend the provisions of the statutes of CIDI, CEPCIDI, the Special Multilateral Fund of CIDI (FEMCIDI), and the Inter-American Agency for Cooperation and Development (IACD) or their supplementary provisions, it propose those amendments and approve them *ad referendum* of CIDI and the General Assembly, as appropriate.

5. To recommend to the appropriate political bodies of the Organization of American States (OAS) that, in fulfillment of the mandates contained in the aforementioned resolutions, they adhere to the established timeframes and deadlines; and to instruct the General Secretariat to do likewise.

6. To instruct the General Secretariat, through the Executive Secretariat for Integral Development (SEDI), to support the work that CEPCIDI will carry out through its working group, and to continue supporting the efforts of the member states to meet the commitments set forth in the resolutions referred to in operative paragraph 1.

7. To request CIDI to follow up on the work of the working group of CEPCIDI and, on the basis of its reports, to present to the General Assembly at its thirty-ninth regular session recommendations for consolidating CIDI and its organs.

8. To request CIDI to report to the General Assembly at its thirty-ninth regular session on the actions taken in pursuit of the renewed mandates and on the outcome achieved.

9. To request that CIDI, with the support of the General Secretariat, report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2391 (XXXVIII-O/08)

INTER-AMERICAN MEETING ON IMPROVING THE AVAILABILITY OF,
AND ACCESS TO, SAFE DRINKING WATER AND SANITATION SERVICES

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

HAVING SEEN resolutions AG/RES. 2347 (XXXVII-O/07), "Inter-American Meeting on the Economic, Social, and Environmental Aspects of the Availability of, and Access to, Drinking Water," and AG/RES. 2349 (XXXVII-O/07), "Water, Health, and Human Rights," and CIDI/RES. 214 (XIII-O/08), "Inter-American Meeting on Improving the Availability of, and Access to, Safe Drinking Water and Sanitation Services"; and

CONSIDERING that the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI) approved the draft agenda for the Inter-American Meeting on Improving the Availability of, and Access to, Safe Drinking Water and Sanitation Services (CEPCIDI/doc.834/08), as well as the membership of the panel that would participate in the first session of said meeting (CEPCIDI/doc.835/08),

RESOLVES:

1. To accept with satisfaction the offer by the Government of the Bolivarian Republic of Venezuela to host the Inter-American Meeting on Improving the Availability of, and Access to, Safe Drinking Water and Sanitation Services.

2. To instruct the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI), in coordination with the General Secretariat, to convene, for the second half of 2008, the Inter-American Meeting on Improving the Availability of, and Access to, Safe Drinking Water and Sanitation Services, with the purpose of facilitating a dialogue among the national authorities of the member states on national policies, experiences, and best practices related to availability of, and access to, safe drinking water and sanitation, seeking to promote the exchange of information and experiences and to strengthen cooperation among member states to improve the availability of, and access to, safe drinking water and basic sanitation in the region, in the framework of the objectives and guidelines established in the Declaration of Santa Cruz + 10 and the Inter-American Program for Sustainable Development 2006-2009 and in the Millennium Declaration.

3. To request CIDI to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2392 (XXXVIII-O/08)

POVERTY, EQUITY, AND SOCIAL INCLUSION:
FOLLOW-UP TO THE DECLARATION OF MARGARITA

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

HAVING SEEN:

Resolutions CIDI/RES. 113 (VII-O/02), "Poverty, Equity, and Social Inclusion"; CIDI/RES. 130 (VIII-O/03), "High-Level Meeting on Poverty, Equity, and Social Inclusion"; CIDI/RES. 145 (IX-O/04), "Poverty, Equity, and Social Inclusion"; CIDI/RES. 165 (X-O/05), "Poverty, Equity, and Social Inclusion: Follow-up to the Declaration of Margarita"; CIDI/RES. 179 (XI-O/06), "Reiteration and Renewal of Commitments and Mandates in the Framework of Inter-American Cooperation for Integral Development"; and CIDI/RES. 195 (XII-O/07) and CIDI/RES. 215 (XIII-O/08), "Poverty, Equity, and Social Inclusion: Follow-up to the Declaration of Margarita"; and

Resolutions AG/RES. 1854 (XXXII-O/02), AG/RES. 1962 (XXXIII-O/03), and AG/RES. 1983 (XXXIV-O/04), "Poverty, Equity, and Social Inclusion"; AG/RES. 2081 (XXXV-O/05), "Poverty, Equity, and Social Inclusion: Follow-up to the Declaration of Margarita"; AG/RES. 2203 (XXXVI-O/06), "Reiteration and Renewal of Commitments and Mandates in the Framework of Inter-American Cooperation for Integral Development"; and AG/RES. 2307 (XXXVII-O/07), "Poverty, Equity, and Social Inclusion: Follow-up to the Declaration of Margarita";

TAKING INTO ACCOUNT that the High-Level Meeting on Poverty, Equity, and Social Inclusion, which took place on Isla Margarita, Venezuela, from October 8 to 10, 2003, adopted the Declaration of Margarita (RANPEIS/DEC. 1/03); and

CONSIDERING:

That Article 2.g of the Charter of the Organization of American States (OAS) establishes that one of the essential purposes of the Organization is to eradicate extreme poverty, which constitutes an obstacle to the full democratic development of the peoples of the Hemisphere;

That the Declaration of Quebec City, adopted at the Third Summit of the Americas, states that "[w]e shall spare no effort to free our fellow citizens from the dehumanizing conditions of extreme poverty";

That the Declaration of Nuevo León, adopted at the Special Summit of the Americas, recognizes that overcoming poverty, hunger, and social inequality are major challenges facing many countries of the Hemisphere in the 21st century;

That in the same Declaration the Heads of State and Government urged the OAS "to carefully consider the recommendations approved at the High-Level Meeting on Poverty, Equity, and Social Inclusion, held on Isla de Margarita, Venezuela to strengthen the hemispheric social agenda";

That, in the Declaration of Mar del Plata of the Fourth Summit of the Americas, the Heads of State and Government reaffirmed their “commitment to fight poverty, inequality, hunger, and social exclusion in order to raise the standard of living of our peoples and strengthen democratic governance in the Americas”;

That the Inter-American Democratic Charter reaffirms, in the preambular section, that “the fight against poverty, and especially the elimination of extreme poverty, is essential to the promotion and consolidation of democracy and constitutes a common and shared responsibility of the American states”;

That, in resolution AG/RES. 1983 (XXXIV-O/04), “Poverty, Equity and Social Inclusion,” the General Assembly endorsed the Declaration of Margarita and took note of the proposal for a follow-up to the High-Level Meeting on Poverty, Equity, and Social Inclusion (CEPCIDI/doc.594/03), as well as of the methodology for its implementation (CEPCIDI/doc.611/04 corr. 1);

That in the Declaration of Margarita, the high-level authorities of the OAS member states responsible for social development policies and programs expressed their commitment to ensuring that the Inter-American Council for Integral Development, as the hemispheric policy forum for dialogue on combating poverty, contributes to the follow-up, evaluation, and supervision of the eight development goals established in the United Nations Millennium Declaration;

That the United Nations, through the United Nations Development Programme (UNDP) and the Economic Commission for Latin American and the Caribbean (ECLAC), as well as the Pan American Health Organization (PAHO), the Inter-American Development Bank (IDB), and other agencies of the inter-American system, have given ample consideration to the goals established in the United Nations Millennium Declaration;

That, to a large extent, the follow-up to the High-Level Meeting on Poverty, Equity, and Social Inclusion will take place in the context of the Inter-American Committee on Social Development; and that the Declaration of Margarita specifically proposes that the Permanent Council and the Inter-American Council for Integral Development (CIDI) consider the need to deepen the commitments undertaken in the Charter of the Organization of American States, the Inter-American Democratic Charter, and other international instruments on social matters in relation to the advancement and observance of economic, social, and cultural rights, and explore the possibility of having an instrument and mechanisms that respond to this aim;

That resolution AG/RES. 1854 (XXXII-O/02), “Poverty, Equity, and Social Inclusion,” instructed the Permanent Council and CIDI, in light of the results of the Isla Margarita meeting, to define jointly new actions to strengthen existing mechanisms for cooperation to support the OAS member states in combating poverty; and

That the First Meeting of Ministers and High Authorities of Social Development within the Framework of CIDI will be held in Reñaca, Chile, on July 9 and 10, 2008; and

EXPRESSING ITS SATISFACTION with the joint meeting of the Permanent Council and the Permanent Executive Committee of CIDI (CEPCIDI), held on April 2, 2008, in Washington, D.C., to contribute “to following up on, evaluating, and supervising the Eight Development Goals

established in the Millennium Declaration for the year 2015"; and taking note of the results of that meeting,

RESOLVES:

1. To entrust the Permanent Council and the Inter-American Council for Integral Development (CIDI) with giving careful consideration to the recommendations approved during the High-Level Meeting on Poverty, Equity, and Social Inclusion.

2. To entrust the Permanent Council and CIDI with considering, on the basis of the proposal made in said meeting, mechanisms and instruments that make it possible to deepen the commitments undertaken in the Charter of the Organization of American States (OAS), the Inter-American Democratic Charter, and other international instruments on social matters, in relation to the advancement and observance of economic, social, and cultural rights.

3. To invite the Secretariat of the United Nations to present a report on the General Assembly Thematic Debate on the Millennium Development Goals, held in April 2008, in order to contribute to the follow-up, evaluation, and supervision of those goals and to the pursuit of greater coordination of multilateral action.

4. To instruct the Executive Secretariat for Integral Development to prepare, in coordination with other pertinent areas of the OAS and pertinent international organizations, a study that compiles the experiences and best practices developed by member states for the achievement of the development goals established in the United Nations Millennium Declaration.

5. To request that, in that study, account be taken of the results of the First Meeting of Ministers and High Authorities of Social Development within the Framework of CIDI and of the reports of the member states on this subject.

6. To request the Permanent Executive Committee of CIDI (CEPCIDI) to examine the possibility of organizing and convening in the first half of 2009 a workshop on experiences and best practices of member states for the achievement of the Millennium Development Goals, to be attended by national cooperation authorities and those responsible for follow-up on those objectives in each member state, with the aim of identifying and developing possible areas of cooperation, drawing upon the study mentioned in the preceding paragraphs, among other sources.

7. To request CIDI to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2393 (XXXVIII-O/08)

SUPPORT FOR AND FOLLOW-UP TO THE
SUMMITS OF THE AMERICAS PROCESS

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.4820/08) as it pertains to the activities of the Committee on Inter-American Summits Management and Civil Society Participation in OAS Activities (CISC);

HAVING SEEN ALSO resolutions AG/RES. 2171 (XXXVI-O/06), "Follow-up and Implementation of the Mandates of the Declaration of Mar del Plata and the Plan of Action of the Fourth Summit of the Americas," and AG/RES. 2190 (XXXVI-O/06) and AG/RES. 2338 (XXXVII-O/07), "Support for and Follow-up to the Summits of the Americas Process";

TAKING INTO ACCOUNT the Declarations and Plans of Action adopted by the Heads of State and Government at the First Summit of the Americas (Miami, 1994), the Summit of the Americas on Sustainable Development (Santa Cruz de la Sierra, Bolivia, 1996), the Second Summit of the Americas (Santiago, 1998), the Third Summit of the Americas (Quebec City, 2001), the Special Summit of the Americas (Monterrey, Mexico, 2004), and the Fourth Summit of the Americas (Mar del Plata, Argentina, 2005);

NOTING that at the XLVI Meeting of the Summit Implementation Review Group, held on September 12, 2006, at the headquarters of the Organization of American States (OAS), the Argentine Republic officially transferred the chair of the Summits of the Americas process to the Republic of Trinidad and Tobago;

BEARING IN MIND that the Fifth Summit of the Americas will take place in Trinidad and Tobago, in April 2009, with the theme "Securing Our Citizens' Future by Promoting Human Prosperity, Energy Security and Environmental Sustainability";

RECALLING that, through resolution AG/RES. 1349 (XXV-O/95), the General Assembly established a special committee of the Permanent Council on inter-American summits management, and that, at its meeting of July 31, 2002, the Permanent Council decided to merge it with the Committee on Civil Society Participation in OAS Activities, thereby creating the CISC, in order to ensure effective, timely, and appropriate follow-up of the activities assigned to the Organization of American States (OAS) by the Summit of the Americas and to coordinate the Organization's preparation, participation, and follow-up with regard to future Summits;

TAKING INTO ACCOUNT the acknowledgement at the Third Summit of the function that the CISC performs in coordinating the efforts of the OAS in support of the Summits of the Americas process and in serving as a forum for civil society to contribute to that process; as well as the establishment of the Summits Secretariat;

RECALLING that at Summits of the Americas the Heads of State and Government recognized the important role played by the OAS in the implementation of decisions of the Summits of the Americas, and that the Fourth Summit, in particular, recognized the pivotal role that the OAS plays in the implementation and follow-up of Summit mandates and instructed the General Secretariat to continue to act as technical secretariat; provide support for meetings of the Summit Implementation Review Group (SIRG), ministerial meetings, and specialized conferences; coordinate the participation of civil society; and ensure the dissemination of information on the Summits process and the commitments adopted by the countries; and

RECALLING ALSO that at the Fourth Summit the Heads of State and Government instructed members of the Joint Summit Working Group, comprising the Organization of American States, the Inter-American Development Bank (IDB), the Economic Commission for Latin America and the Caribbean (ECLAC), the Pan American Health Organization (PAHO), the World Bank, the Inter-American Institute for Cooperation on Agriculture (IICA), the Andean Development Corporation (CAF), the Caribbean Development Bank (CDB), the Central American Bank for Economic Integration (CABEI), the International Organization for Migration (IOM), the International Labour Organization (ILO), and the Institute for Connectivity in the Americas (ICA), under the coordination of the OAS, to continue, through their respective activities and programs, to support the follow-up and implementation of the Declarations and Plans of Actions of the Summits of the Americas, as well as to assist in the preparations for future Summits,

RESOLVES:

1. To urge member states to continue to implement the commitments of the Summits of the Americas and to promote and disseminate them within their respective national governments.
2. To renew the mandate to the Permanent Council to coordinate the activities assigned to the Organization of American States (OAS) by the Summits of the Americas.
3. To instruct the organs, agencies, and entities of the Organization to continue to give the highest priority to carrying out the initiatives assigned to them by the General Assembly, in accordance with the mandates of the Summits of the Americas, and to report on a regular basis on these activities, as appropriate, to the Permanent Council, the Inter-American Council for Integral Development (CIDI), and the Committee on Inter-American Summits Management and Civil Society Participation in OAS Activities (CISC).
4. To request that the General Secretariat, through the Summits of the Americas Secretariat, continue to serve as the institutional memory and technical secretariat of the Summits of the Americas process, to support the follow-up and dissemination of Summit mandates, to offer support to member states in implementing the mandates of the Declaration of Mar del Plata and its Plan of Action, and to provide technical support in the preparation of the Fifth Summit of the Americas, to be held in Trinidad and Tobago in April 2009, and at future Summits of the Americas.
5. To request the General Secretariat to provide updates to the CISC and to the Summit Implementation Review Group (SIRG) on the ongoing implementation and follow-up of the commitments undertaken in the Plan of Action of the Third Summit of the Americas, the Declaration of Nuevo León, and the Declaration and Plan of Action of the Fourth Summit of the Americas.

6. To instruct the General Secretariat to continue, through the Joint Summit Working Group, chaired by the OAS Summits Secretariat, to coordinate and promote the implementation and follow-up of the Plans of Action of the Summits of the Americas, the Declaration of Nuevo León, and the Declaration of Mar del Plata in all organs, agencies, and entities of the OAS. To request, further, that it hold at least one meeting a year of the heads of the member agencies of the Joint Summit Working Group to review progress made and plan joint activities, as a complement to the regular interagency meetings, and provide assistance in the preparatory activities for the Fifth Summit of the Americas.

7. To request the General Secretariat to continue providing the necessary support for ministerial and sectoral meetings related to the implementation of Summit mandates and commitments on topics of interest to the OAS.

8. To request the General Secretariat to make efforts, through the Summits Secretariat, to promote and disseminate in ministerial and sectoral meetings the mandates and commitments emanating from the Summits of the Americas so that these forums may contribute to their implementation.

9. To request that the General Secretariat, through the Summits Secretariat, promote and disseminate among the various social actors the mandates and commitments emanating from the Summits of the Americas so that these actors may contribute to their implementation.

10. To request the General Secretariat, within budgetary availability, to strengthen the Summits Secretariat by providing it with the human and financial resources it needs to support follow-up on implementation of the mandates of the Summits of the Americas.

11. To urge member states to continue contributing to the Specific Fund for the Summit Implementation Review Group in order to provide financial support for the Group's activities.

12. To request the General Secretariat to submit to the Permanent Council, through the Summits Secretariat, systematic and detailed information on the budgetary and financial management of said Specific Fund.

13. To instruct the General Secretariat to carry out the activities mentioned in this resolution within the resources allocated in the program-budget of the Organization and other resources; and to instruct the Secretary General to seek additional voluntary funds to carry out the activities mentioned in this resolution.

14. To request the General Secretariat, in particular the Summits Secretariat, to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2394 (XXXVIII-O/08)

FOLLOW-UP TO THE DECLARATION OF RECIFE

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.4820/08) as it pertains to the implementation of resolution AG/RES. 2338 (XXXVII-O/07), “Support for and Follow-up to the Summits of the Americas Process”;

BEARING IN MIND resolution AG/RES. 2318 (XXXVII-O/07), “Implementation of the Declaration of Recife,” and the report of the General Secretariat on follow-up to this resolution and on the activities of the High-Level Inter-American Network on Decentralization, Local Government, and Citizen Participation (RIAD) (CP/CISC-368/08);

RECALLING resolutions AG/RES. 1901 (XXXII-O/02), “Declaration of La Paz on Decentralization and on Strengthening Regional and Municipal Administrations and Participation of Civil Society”; AG/RES. 1993 (XXXIV-O/04), “Mexico City Plan of Action on Decentralization and Strengthening of Municipal and Regional Administrations and Citizen Participation”; and AG/RES. 2173 (XXXVI-O/06), “The Declaration of Recife,” adopted, respectively, following the first, second, and third Meeting of Ministers and High-Level Authorities Responsible for Policies on Decentralization, Local Government, and Citizen Participation at the Municipal Level in the Hemisphere;

RECALLING ALSO that the ministerial meetings on decentralization and the RIAD were established to provide support for and institutional follow-up to the commitments undertaken by the Heads of State and Government at the Summits of the Americas in Santiago, Chile (1998) and Quebec City (2001), and those undertaken in the Declaration of Nuevo León (2004) and in the Plan of Action of the Fourth Summit of the Americas, held in Mar del Plata, Argentina (2005); and

REAFFIRMING ONCE AGAIN the recognition by the Summits of the Americas of the potential of regional and municipal governments to address and help strengthen democratic governance in the Americas,

RESOLVES:

1. To note the progress made in the activities of the High-Level Inter-American Network on Decentralization, Local Government, and Citizen Participation (RIAD) and in the General Secretariat’s planning in preparation for the next ministerial meeting of the RIAD.

2. To urge the RIAD to continue efforts towards consolidating the work undertaken by its steering committee, composed of Brazil, Chile, Costa Rica, Jamaica, and Mexico, with the support of the technical secretariat and the Department for State Modernization and Good Governance of the Secretariat for Political Affairs. In that connection, to consider convening technical meetings for the

exchange of experiences and expertise on decentralization processes in the search for solutions to challenges of mutual interest.

3. To renew the mandate to the Permanent Council to convene the next ministerial meeting of the RIAD, within the resources allocated in the program-budget of the Organization and other resources.

4. To request the General Secretariat to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2395 (XXXVIII-O/08)

INCREASING AND STRENGTHENING CIVIL SOCIETY PARTICIPATION
IN THE ACTIVITIES OF THE ORGANIZATION OF AMERICAN STATES
AND IN THE SUMMITS OF THE AMERICAS PROCESS

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.4820/08) as it pertains to the activities of the Committee on Inter-American Summits Management and Civil Society Participation in OAS Activities (CISC);

TAKING INTO ACCOUNT resolution AG/RES. 2310 (XXXVII-O/07), "Increasing and Strengthening Civil Society Participation in the Activities of the Organization of American States and in the Summits of the Americas Process";

TAKING INTO ACCOUNT ALSO the Guidelines for Participation by Civil Society Organizations in OAS Activities, adopted by the Permanent Council in resolution CP/RES. 759 (1217/99) and endorsed by the General Assembly in resolution AG/RES. 1707 (XXX-O/00), which establish that, "[i]n order to bear fruit, civil society participation must be oriented by a clear and yet flexible regulatory framework. Such flexibility is achieved by way of periodic review of participation in OAS activities. These Guidelines thus represent a further step toward enhancing civil society participation in OAS activities";

TAKING INTO CONSIDERATION the Strategies for Increasing and Strengthening Participation by Civil Society Organizations in OAS Activities, adopted by the Permanent Council in resolution CP/RES. 840 (1361/03) and subsequently endorsed by the General Assembly in resolution AG/RES. 1915 (XXXIII-O/03), which requested "the Committee on Inter-American Summits Management and Civil Society Participation in OAS Activities (CISC) to follow up on these strategies; to evaluate their implementation; and, if appropriate, to propose amendments to them or new mechanisms for increasing and strengthening participation by civil society organizations in OAS activities";

CONSIDERING that the Summits of the Americas process encourages full participation by civil society and that, in the Declaration of Nuevo León, the Heads of State and Government undertook to institutionalize meetings with civil society and with the academic and private sectors, and that, more recently, through resolution AG/RES. 2315 (XXXVII-O/07), "Participation of Workers' Representatives in Activities of the Organization of American States," the ministers of foreign affairs agreed to hold a dialogue with workers' representatives, recognized as such by virtue of national law or practice, prior to the inaugural sessions of the General Assembly and the Summits of the Americas, so that said representatives may make recommendations and proposals for initiatives related to the theme of the General Assembly or the Summit of the Americas and directed toward the member states and the Organization of American States (OAS);

TAKING INTO ACCOUNT that the Declaration of Mar del Plata recognizes the pivotal role the OAS plays in coordinating civil society participation in the Summits process;

UNDERSCORING the efforts being made by the host country of the Fifth Summit of the Americas, to take place in April 2009, in coordination with the OAS Summits Secretariat, to encourage, promote, and facilitate civil society participation in the preparatory activities for the Fifth Summit of the Americas and at the Summit itself;

CONSIDERING that Article 6 of the Inter-American Democratic Charter states that “[i]t is the right and responsibility of all citizens to participate in decisions relating to their own development. This is a necessary condition for the full and effective exercise of democracy. Promoting and fostering diverse forms of participation strengthens democracy”;

NOTING the establishment of the Specific Fund to Support the Participation of Civil Society Organizations in OAS Activities and in the Summits of the Americas Process, by resolution CP/RES. 864 (1413/04), to support participation by civil society organizations in OAS activities, including the dialogue among heads of delegation of member states, the Secretary General, and civil society organization representatives, which has been included on the draft schedule for regular sessions of the General Assembly as a regular activity before the inaugural session, as indicated in resolution AG/RES. 1915 (XXXIII-O/03);

NOTING ALSO:

The recommendations of the Hemispheric Forum with Civil Society, held in Washington, D.C., from March 10 to 12, 2008, on the theme of the thirty-eighth regular session of the OAS General Assembly, “Youth and Democratic Values”;

The exchange of views during the special meeting of the CISC to strengthen dialogue with civil society, held on March 13, 2008; and during the special meetings of the Permanent Council held pursuant to the mandates of resolutions AG/RES. 2351 (XXXVII-O/07), “Civil Society Organizations and the Protection of Human Rights and Promotion of Democracy,” and AG/RES. 2327 (XXXVII-O/07), “Promotion and Strengthening of Democracy: Follow-up to the Inter-American Democratic Charter,” on March 13, 2008, and March 14, 2008, respectively; and

The contributions received at the Civil Society Hemispheric Consultation on the Fifth Summit of the Americas, held in Miami on May 1 and 2, 2008;

RECOGNIZING the importance of participation by civil society organizations in consolidating democracy in all member states and the significant contribution they can make to the activities of the OAS and of the organs, agencies, and entities of the inter-American system; and

RECOGNIZING ALSO that civil society participation in OAS activities should take place in a context of close collaboration between the political and institutional bodies of the Organization and in accordance with the provisions of resolution CP/RES. 759 (1217/99), “Guidelines for the Participation of Civil Society Organizations in OAS Activities,”

RESOLVES:

1. To reaffirm the commitment and will of the member states and the Organization of American States (OAS) to continue strengthening and implementing effective mechanisms and concrete actions for civil society participation in OAS activities and in the Summits of the Americas process.

2. To instruct the Permanent Council, the Inter-American Council for Integral Development (CIDI), and the General Secretariat to continue, in coordination with all organs, agencies, and entities of the OAS, to facilitate the implementation of the Strategies for Increasing and Strengthening Participation by Civil Society Organizations in OAS Activities, adopted by the Permanent Council in resolution CP/RES. 840 (1361/03) and endorsed by the General Assembly in resolution AG/RES. 1915 (XXXIII-O/03), "Increasing and Strengthening Civil Society Participation in OAS Activities."

3. To instruct the Permanent Council to continue to promote and facilitate civil society participation in the Summits of the Americas and in the activities developed by the OAS as a result of the Summits of the Americas process, as well as the efforts of member states to foster such participation.

4. To continue to actively support and promote the registration of civil society organizations and their participation in OAS activities, and in its organs, agencies, and entities, with the support of the General Secretariat and in accordance with resolution CP/RES. 759 (121/99), "Guidelines for the Participation of Civil Society Organizations in OAS Activities."

5. To encourage all member states, permanent observers, and other donors, as defined in Article 74 of the General Standards to Govern the Operations of the General Secretariat and in other rules and regulations of the Organization, to consider contributing to the Specific Fund to Support the Participation of Civil Society Organizations in OAS Activities and in the Summits of the Americas Process, in order to sustain and promote the effective participation of civil society organizations in OAS activities, in accordance with the goals set by the General Assembly and by the Heads of State and Government in the Summits of the Americas process, including in the dialogue among heads of delegation, the Secretary General, and representatives of civil society organizations.

6. To continue to urge member states to:

- a. Participate in the dialogue of heads of delegation with representatives of civil society organizations in the context of General Assembly sessions and in the Summits of the Americas process; and
- b. Continue their efforts, both domestically and multilaterally, to expand opportunities for participation by civil society organizations in OAS activities and in the Summits of the Americas process.

7. To encourage member states to continue reporting on existing procedures and regulations regarding consultations with civil society, to allow for an exchange of experiences and best practices among the member states.

8. To recognize the efforts of the host country of the thirty-eighth regular session of the General Assembly to work together with the General Secretariat and with civil society organizations to facilitate and organize their participation in the dialogue of heads of delegation, in accordance with resolution CP/RES. 840 (1361/03); and to encourage future hosts to continue to build on these traditions.

9. To instruct the General Secretariat to continue to support member states that so request in their efforts to increase the institutional capacity of their governments to receive, absorb, and act on civil society input and advocacy.

10. To request the General Secretariat to develop a strategy for a coordinated approach to encourage civil society participation in OAS activities, for consideration by the member states.

11. To request the General Secretariat to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2396 (XXXVIII-O/08)

SUPPORT FOR THE WORK OF THE
INTER-AMERICAN COMMITTEE AGAINST TERRORISM

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

HAVING SEEN the observations and recommendations of the Permanent Council contained in the Annual Report of the Permanent Council to the General Assembly (AG/doc.4820/08) on the annual reports of the organs, agencies, and entities of the Organization of American States (OAS), particularly those pertaining to the Annual Report of the Inter-American Committee against Terrorism (CICTE) to the General Assembly (CP/doc.4314/08);

REITERATING the commitments undertaken in resolutions AG/RES. 1650 (XXIX-O/99), "Hemispheric Cooperation to Prevent, Combat, and Eliminate Terrorism"; AG/RES. 1734 (XXX-O/00), "Observations and Recommendations on the Annual Report of the Inter-American Committee against Terrorism"; and AG/RES. 1789 (XXXI-O/01), AG/RES. 1877 (XXXII-O/02), AG/RES. 1964 (XXXIII-O/03), AG/RES. 2051 (XXXIV-O/04), AG/RES. 2137 (XXXV-O/05), AG/RES. 2170 (XXXVI-O/06), and AG/RES. 2272 (XXXVII-O/07), "Support for the Work of the Inter-American Committee against Terrorism";

REAFFIRMING that terrorism, whatever its form or manifestation and whatever its origin or motivation, has no justification whatsoever, is inimical to the full enjoyment and exercise of human rights, and poses a grave threat to international peace and security, institutions, and the democratic values enshrined in the Charter of the Organization of American States, the Inter-American Democratic Charter, and other regional and international instruments;

NOTING WITH SATISFACTION the Eighth Regular Session of the Inter-American Committee against Terrorism, which was held in Washington, D.C., from March 5 to 7, 2008, and the adoption of the "Declaration: Reaffirmation of the Hemispheric Commitment to Fighting Terrorism";

RECALLING the need to confront terrorism through sustained cooperation, with full respect for the obligations that international law imposes, including international human rights law, international humanitarian law, and international refugee law;

REAFFIRMING that the fight against terrorism demands the broadest possible cooperation among the member states and coordination among international and regional organizations, in order to prevent, punish, and eliminate terrorism in all its forms;

RECOGNIZING the importance of the United Nations Global Counter-Terrorism Strategy, of September 8, 2006 (document A/RES/60/288), and the importance of its implementation in the fight against terrorism; and

NOTING WITH SATISFACTION:

That on June 5, 2007, Guyana deposited its instrument of ratification of the Inter-American Convention against Terrorism;

That to date 23 member states have ratified this Convention and that other countries not yet party to it are making important headway toward its ratification;

The sixth meeting of CICTE's National Points of Contact, held in Washington, D.C., on March 5, 2008, at which the member states considered the importance of domestic legislation on the financing of terrorism; and

The incorporation of the CICTE Secretariat into the OAS Secretariat for Multidimensional Security,

RESOLVES:

1. To reiterate its most vigorous condemnation of terrorism in all its forms and manifestations, as criminal and unjustifiable under any circumstances, in any place, and regardless of who perpetrates it, and because it poses a grave threat to international peace and security, and to the democracy, stability, and prosperity of the countries of the region.

2. To endorse the "Declaration: Reaffirmation of the Hemispheric Commitment to Fighting Terrorism," adopted by the members of the Inter-American Committee against Terrorism (CICTE) at its eighth regular session; and to encourage the member states to fulfill the commitments contained therein.

3. To reiterate that it is important for the member states of the Organization of American States (OAS) to sign, ratify, implement, and continue implementing, as the case may be, the Inter-American Convention against Terrorism, as well as pertinent regional and international conventions and protocols, including the 13 international conventions and protocols and United Nations Security Council resolutions 1267 (1999), 1373 (2001), 1540 (2004), 1566 (2004), 1617 (2005), and 1624 (2005), in order to find, deny safe haven to, and bring to justice, on the basis of the principle of extradite or prosecute, any person who supports, facilitates, participates, or attempts to participate in the financing, planning, preparation, or commission of terrorist acts or provides safe havens.

4. To call upon those member states that have not yet done so to ratify the Inter-American Convention against Terrorism and to implement it effectively.

5. To express its abiding commitment to fight terrorism and the financing thereof with full respect for the rule of law and international law, including international humanitarian law, international human rights law, and international refugee law, the Inter-American Convention against Terrorism, and United Nations Security Council resolution 1373 (2001).

6. To express its satisfaction with the progress made by member states in the adoption of effective measures to prevent, combat, and eradicate terrorism; and to underscore the need to continue strengthening their application and that of cooperation mechanisms in the fight against terrorism at the bilateral, subregional, regional, and international levels.

7. To reiterate its satisfaction with the opportunities CICTE provides as a forum for dialogue, coordination, and cooperation, and for its efforts to identify urgent and long-term measures to strengthen hemispheric cooperation to prevent, combat, and eliminate terrorism, taking into account the particular characteristics of member states and their needs and capabilities, including technical assistance provided to states that request it in order to comply with their obligations under the various binding international instruments, in accordance with the CICTE Work Plan.

8. To instruct the CICTE Secretariat to implement the programs and projects listed in the CICTE Work Plan for 2008.

9. Once again to thank the member states and permanent observers that have contributed human and other resources to CICTE's Secretariat to help implement the CICTE Work Plan.

10. Once again to call upon member states, permanent observers, and pertinent international organizations to provide, maintain, or increase, as appropriate, their voluntary contributions of funding and/or human resources to CICTE to enable it to perform its functions and enhance its programs and areas of activity.

11. To instruct the General Secretariat to continue providing, within the resources allocated in the program-budget of the Organization and other resources, administrative and any other support needed for the CICTE Secretariat, including support for the Ninth Regular Session of CICTE, scheduled to be held in Mexico City from March 4 to 6, 2009, as well as the three preparatory meetings for that regular session; and for the seventh meeting of CICTE's National Points of Contact, which will take place in conjunction with that regular session.

12. To request the Chair of CICTE to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2397 (XXXVIII-O/08)

SPECIAL SECURITY CONCERNS OF THE SMALL ISLAND STATES
OF THE CARIBBEAN

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.4820/08), in particular the section on the matters entrusted to the Committee on Hemispheric Security;

RECALLING that the ministers of foreign affairs and heads of delegation recognized, as stated in the Declaration of Bridgetown, that the security threats, concerns, and other challenges in the hemispheric context are diverse in nature and multidimensional in scope, and that the traditional concept and approach must be expanded to encompass new and nontraditional threats, which include political, economic, social, health, and environmental aspects;

REITERATING that the security of small island states has peculiar characteristics which render these states specially vulnerable and susceptible to risks and threats of a multidimensional and transnational nature, involving political, economic, social, health, environmental, and geographic factors; and that multilateral cooperation is the most effective approach for responding to and managing the threats and concerns of small island states;

AWARE that the small island states remain deeply concerned about the possible threats posed to their economies and maritime environment should a ship transporting potentially hazardous material, including petroleum and radioactive material and toxic waste, have an accident or be the target of a terrorist attack while transiting the Caribbean Sea and other sea-lanes of communication in the Hemisphere;

RECOGNIZING that resolution AG/RES. 1970 (XXXIII-O/03) and the Declaration of Kingstown on the Security of Small Island States reaffirmed that the political, economic, social, health, and environmental integrity and stability of small island states are integral to the security of the Hemisphere;

MINDFUL of the potentially disastrous impact of acts of terrorism on the stability and security of all states in the Hemisphere, particularly the small and vulnerable island states;

NOTING WITH SATISFACTION the decision adopted at the Eighth Regular Session of the Inter-American Committee against Terrorism (CICTE) to instruct the CICTE Secretariat to continue providing technical assistance and capacity-building to member states, upon request, on the security of tourism and recreational facilities, taking into account the results of the Pilot Project in this area and the specific realities and needs of the tourism sector in the member states;

UNDERSCORING the importance of sustained dialogue on the multidimensional aspects of security and their impact on the small island states of the Caribbean, in support of ongoing

subregional efforts to enhance law enforcement, security cooperation, and disaster mitigation and preparedness;

WELCOMING the meeting of the Committee on Hemispheric Security, held on February 13, 2008, to address the special security concerns of small island states, at which the member states and the General Secretariat presented the initiatives undertaken to address the special security concerns of the small island states of the Caribbean and made recommendations regarding future actions;

ACKNOWLEDGING the Report of the Inter-American Defense Board on follow-up of progress made in implementing resolution AG/RES. 2325 (XXXVII-O/07), "Special Security Concerns of the Small Island States of the Caribbean" (CP/CSH-987/08), with particular interest in the computer simulation training introduced to member states of the Inter-American Defense Board (IADB) that wish to strengthen their natural and man-made disaster mitigation planning, in a presentation on the Emergency Management and Training Simulation System (SIGEN), developed by Chile;

RECALLING:

Resolutions AG/RES. 1886 (XXXII-O/02) and AG/RES. 1970 (XXXIII-O/03), "Special Security Concerns of Small Island States of the Caribbean"; AG/RES. 2006 (XXXIV-O/04), AG/RES. 2112 (XXXV-O/05), AG/RES. 2187 (XXXVI-O/06), and AG/RES. 2325 (XXXVII-O/07), "Special Security Concerns of the Small Island States of the Caribbean"; AG/RES. 1497 (XXVII-O/97), AG/RES. 1567 (XXVIII-O/98), AG/RES. 1640 (XXIX-O/99), and AG/RES. 1802 (XXXI-O/01), "Special Security Concerns of Small Island States"; and AG/RES. 1410 (XXVI-O/96), "Promotion of Security in the Small Island States";

Resolutions AG/RES. 2114 (XXXV-O/05), "Natural Disaster Reduction and Risk Management," and AG/RES. 2184 (XXXVI-O/06), "Natural Disaster Reduction, Risk Management, and Assistance in Natural and Other Disaster Situations";

That at the Special Conference on Security, held in Mexico City on October 27 and 28, 2003, member states addressed, in paragraphs 2 and 4 of the Declaration on Security in the Americas, the multidimensional scope of security and the new threats, concerns, and other challenges and, in paragraph 8 of that Declaration, called for "renewed and ongoing attention to, and the development of appropriate instruments and strategies within the Inter-American system to address the special security concerns of small island states as reflected in the Declaration of Kingstown on the Security of Small Island States"; and noting also paragraphs 43 and 44 of the Declaration on Security in the Americas;

That in the said Declaration on Security in the Americas member states emphasized the need to reinforce existing efforts in the Hemisphere with regard to transportation security, without prejudice to the flow of trade;

The decisions adopted at the Seventh Regular Session of CICTE in the Declaration of Panama on the Protection of Critical Infrastructure in the Hemisphere in the Face of Terrorism, with particular reference to threats to tourism security; and

Resolution AG/RES. 1 (XXXII-E/06), "Statutes of the Inter-American Defense Board," which mandates the IADB in carrying out its purpose, to take into account the needs of the smaller states, whose level of vulnerability is greater in the face of traditional threats and of new threats, concerns, and other challenges;

WELCOMING:

The actions taken by the General Secretariat through the Secretariat for Multidimensional Security and the relevant organs, agencies, and entities of the inter-American system, such as the Inter-American Council for Integral Development (CIDI) through the Executive Secretariat for Integral Development (SEDI), in the areas of the management of natural hazard risks, a multi-hazard contingency manual/plan for the tourism sector, and food safety and security standards for the Caribbean; the Inter-American Drug Abuse Control Commission (CICAD) through the online capacity-building program in drug demand reduction at the University of the West Indies and training seminars focused on supply reduction techniques; the Inter-American Committee against Terrorism (CICTE) through the airport, port facility, and tourism and recreational facilities security programs; and the Department of Public Security through the awareness-building seminar on trafficking in persons held in Saint Lucia, the technical advice provided to the Haitian National Police, and the meeting of academics from the Caribbean held in Jamaica in preparation for the First Meeting of Ministers Responsible for Public Security in the Americas;

That in resolution CP/RES. 934 (1644/08) the Permanent Council convened the First Meeting of Ministers Responsible for Public Security in the Americas, to be held in Mexico on October 7 and 8, 2008; and

The actions taken by the General Secretariat, through the Office of the Secretary General and the Secretariat for Multidimensional Security, to support the special security concerns of the small island states of the Caribbean, as set out in the presentations made at the Fifth Meeting of the Council of Ministers of National Security and Law Enforcement of the Caribbean Community (CARICOM), held in Trinidad and Tobago in April 2008;

NOTING that at the Thirteenth Special Meeting of the Conference of Heads of Government of CARICOM, held in Trinidad and Tobago in April 2008, it was agreed that intelligence and information sharing, the procurement of equipment, combating trafficking in drugs and firearms, crime prevention, and addressing gangs and violence represent special security concerns for that region;

RECOGNIZING the international obligations of member states, particularly obligations of the states parties to the United Nations Convention on the Law of the Sea and relevant instruments of the International Maritime Organization; and

BEARING IN MIND that at the Fourth Summit of the Association of Caribbean States (ACS), held in Panama City, Panama, in July 2005, the Heads of State and/or Government of the ACS member states urged those countries currently involved in the production or shipment of nuclear waste to adopt measures aimed at strengthening international cooperation in order to comply with security measures on the transportation of radioactive materials, especially those adopted at the forty-seventh regular session of the General Conference of the International Atomic Energy Agency (IAEA) (Austria 2003),

RESOLVES:

1. To reemphasize the importance of strengthening and enhancing the hemispheric security agenda of the Organization of American States (OAS) by addressing the multidimensional nature of security as it relates to the security of the small island states of the Caribbean.

2. To renew its appeal to member states to continue collaborating with the small island states of the Caribbean in the development of effective ways of addressing the security issues of these states through capacity-building assistance related to intelligence and information sharing and the procurement of equipment.

3. To instruct the Permanent Council to remain seized of the issues which impact the security of small island states and, to this end, through its Committee on Hemispheric Security (CSH), to evaluate progress made in addressing the security concerns of those states and the development of strategies for implementation of the related General Assembly resolutions.

4. To instruct the Permanent Council to continue its work on global climate change, in coordination with the other organs of the OAS.

5. To request that, in support of the small island states' efforts to address their special security concerns, the CSH coordinate and maintain the necessary liaison with the organs, agencies, entities, and mechanisms of the Organization and other institutions and mechanisms related to the various aspects of security and defense in the Hemisphere, respecting the mandates and areas of competence of each, in order to achieve the application, evaluation, and follow-up of those provisions pertaining to the special security concerns of small island states in the Declaration on Security in the Americas.

6. To reiterate its request that the General Secretariat, through the Secretariat for Multidimensional Security and the relevant organs, agencies, and entities of the inter-American system, such as the Inter-American Council for Integral Development (CIDI), the Inter-American Drug Abuse Control Commission (CICAD), the Inter-American Committee against Terrorism (CICTE), the Inter-American Committee on Ports (CIP), the Consultative Committee of the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA), the Inter-American Committee on Natural Disaster Reduction (IACNDR), and the Inter-American Defense Board (IADB), support, within their areas of competence and programming, the continued efforts of the small island states to address their security and defense concerns, particularly with respect to:

- a. Developing training programs and proposals for strategic plans and cooperation to enable existing security entities in the small island states to meet the new security threats, concerns, and challenges;
- b. Assisting border-control authorities in the small island states in accessing critical information; in enhancing their border control systems and transportation security, including airport and seaport security; and in strengthening their border- control capacities;

- c. Strengthening the capacity of the small island states to fight against trafficking in drugs and firearms;
- d. Beginning the process of conducting analysis among the states of the Caribbean on gang violence;
- e. Carrying out computer simulation training and other simulation exercises to strengthen natural and man-made disaster response and mitigation capacity in the states;
- f. Providing training and technical assistance regarding legislation in the areas of counterterrorism, terrorist financing, cybersecurity, and cybercrime;
- g. Providing technical assistance and capacity-building for the security of tourism and recreational facilities;
- h. Improving coordination among the organs, agencies, and entities of the OAS on matters related to the special security concerns of small island states, so as to ensure awareness and avoid duplication; and
- i. Building local capacities, training communities, and strengthening mechanisms for liaison with civil society through specific actions to reduce vulnerabilities that increase the effects of natural and man-made disasters.

7. To request the Permanent Council and the General Secretariat to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2398 (XXXVIII-O/08)

CONFIDENCE- AND SECURITY-BUILDING IN THE AMERICAS

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.4820/08), in particular the section on the activities of the Committee on Hemispheric Security;

BEARING IN MIND that in the Declaration on Security in the Americas the member states affirmed that “[c]onfidence- and security-building measures and transparency in defense and security policies contribute to increasing stability, safeguarding hemispheric and international peace and security, and consolidating democracy,” and recommended that the Committee on Hemispheric Security (CSH) meet periodically as the “Forum for Confidence- and Security-Building Measures” in order to review and evaluate existing confidence- and security-building measures and, if appropriate, consider new measures that would make it possible to ensure progress in this area;

CONSIDERING that, in the Plan of Action of the Third Summit of the Americas, held in Quebec City, the Heads of State and Government declared that they would strive to improve the transparency and accountability of defense and security institutions and promote greater understanding and cooperation among government agencies involved in security and defense issues, through such means as increased sharing of defense policy and doctrine papers and personnel and information exchanges, including improving transparency in arms acquisitions;

TAKING INTO ACCOUNT that resolution AG/RES. 2270 (XXXVII-O/07), “Confidence- and Security-Building in the Americas,” contains a series of recommendations and mandates directed at the member states and the General Secretariat that are still in force;

RECALLING the Chairman’s Conclusions of the First Meeting of the Forum on Confidence- and Security-Building Measures, held in Washington, D.C., on April 25 and 26, 2005 (CSH/FORO-I/doc.11/05); the Rapporteur’s Report of the Second Meeting of the Forum on Confidence- and Security-Building Measures, held in Washington, D.C., on November 29, 2006 (CSH/FORO-II/doc.11/06 corr. 1); and the Rapporteur’s Report of the Third Meeting of the Forum on Confidence- and Security-Building Measures (CSH/FORO-III/doc.6/08 rev. 1), held in Washington, D.C., on April 15, 2008; and

NOTING WITH SATISFACTION the announcement by Argentina and Chile at the Third Meeting of the Forum on Confidence- and Security-Building Measures regarding the change in the term used in their bilateral documents from “confidence- and security-building measures” to “cooperation and integration measures,”

RESOLVES:

1. To renew, where applicable, its mandates to the Permanent Council and to the General Secretariat contained in resolution AG/RES. 2270 (XXXVII-O/07), "Confidence- and Security-Building in the Americas"; and to reiterate the recommendations to the member states contained therein.

2. To urge member states to continue implementing, in the manner they deem most appropriate, the recommendations contained in the Declaration of Santiago and the Declaration of San Salvador on Confidence- and Security-Building Measures and in the Consensus of Miami: Declaration by the Experts on Confidence- and Security-Building Measures: Recommendations to the Summit-Mandated Special Conference on Security.

3. To instruct the Committee on Hemispheric Security to conduct a study, with the participation of the Inter-American Defense Board (IADB), on unification of the criteria for reporting confidence- and security-building measures adopted in the Declaration of Santiago, the Declaration of San Salvador, and the Miami Consensus.^{1/}

4. To commend member states that have regularly submitted their reports on the application of the confidence- and security-building measures (CSBMs) contained in the above-mentioned Declarations and Consensus; and to urge all member states to provide or continue to provide reports and information on the application of CSBMs to the General Secretariat, by July 15 of each year.

5. To instruct the Permanent Council to convene the Fourth Meeting of the Forum on Confidence- and Security-Building Measures for the last quarter of 2009, to examine the application of confidence- and security-building measures throughout the region and consider next steps.

6. To establish the goal of universal participation by all member states, by 2010, in the United Nations (UN) Register of Conventional Arms and the UN Standardized International Reporting of Military Expenditures; and to renew its request that member states provide said information to the Secretary General of the Organization of American States (OAS) by July 15 of each year.

7. To encourage member states to share bilateral and subregional experiences regarding the development of standardized methodologies for measuring military expenditures and inform the Forum on Confidence- and Security-Building Measures of the results of those experiences.

8. To urge member states to deepen trust and transparency through the development and exchange of defense white papers, when appropriate, taking into account the guidelines adopted

1. The Republic of Nicaragua does not support this paragraph for the reasons given in the footnote to the resolution "Support for the Activities of the Inter-American Defense Board," which reads: "The Republic of Nicaragua would not agree to intervention by the Inter-American Defense Board (IADB) in activities that might entail an encroachment on, or damage to, the country's sovereignty, independence, institutions, and legal system. Otherwise, it would not support this resolution or other resolutions with similar content."

by the Permanent Council in its resolution CP/RES. 829 (1342/02), "Adoption of the Guidelines on Developing National Defense Policy and Doctrine Papers."

9. To request the General Secretariat to update the Roster of Experts on Confidence- and Security-Building Measures every year, on the basis of the information supplied by the member states by July 1 each year, and to distribute the new roster to member states by July 30 of each year.

10. To request the Secretary General to forward this resolution to the Secretary-General of the United Nations, the Secretary General of the Organization for Security and Co-operation in Europe (OSCE), the Association of South-East Asian Nations Regional Forum (ARF), and other pertinent regional organizations.

11. To request the Permanent Council and the General Secretariat to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2399 (XXXVIII-O/08)

THE AMERICAS AS AN ANTIPERSONNEL-LAND-MINE-FREE ZONE^{1/}

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

REITERATING its profound concern over the presence in the Americas of thousands of antipersonnel land mines and other undetonated explosive devices;

DEEPLY CONCERNED that Colombia is one of the countries with the highest number of antipersonnel-land-mine victims in the world;

BEARING IN MIND:

The serious threat that mines and other unexploded ordnance pose to the safety, health, and lives of local civilian populations, as well as of personnel participating in humanitarian, peacekeeping, and rehabilitation programs and operations;

That the presence of mines is a factor that impedes economic and social development in rural and urban areas;

That mines have a humanitarian impact with very serious consequences, which are long-lasting and require sustained socioeconomic assistance to victims; and

That their elimination constitutes an obligation and prerequisite for the development and integration of peoples, especially in border areas, and helps to consolidate a common strategy for combating poverty;

ALARMED by the continued and increasing use of antipersonnel land mines and other improvised explosive devices by non-state actors, especially illegal armed groups in Colombia;

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1. The “conversion of the Americas into an antipersonnel-land-mine-free zone” is incompatible with current United States landmine policy, which clearly states that we will not become a party to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction (Ottawa Convention). The United States remains committed to humanitarian mine action and to cooperating in practical steps to end the harmful legacy of landmines. The United States will continue to support OAS efforts to eliminate the humanitarian threat of all persistent landmines and declare countries “mine-impact-free.”
The United States also regrets that this resolution does not by name condemn the use of landmines in Colombia by the Revolutionary Armed Forces of Colombia (FARC) in a manner similar to the OAS Permanent Council resolution 837 “Condemnation of Terrorist Acts in Colombia” adopted on February 12, 2003. The United States on August 14, 2007 condemned the continued and growing use of landmines and other explosive devices by the FARC after the UN, credible nongovernmental organizations, and the press highlighted the FARC as the “largest non-state armed group and most prolific user of mines.”

RECOGNIZING WITH SATISFACTION:

The efforts being made by member states to implement comprehensive mine-action programs, including mine clearance, stockpile destruction, the physical and psychological rehabilitation of victims and their reintegration, activities aimed at mine-risk education, and the socioeconomic reclamation of demined areas;

The mine-free-territory declarations made by the Republics of Costa Rica, El Salvador, Guatemala, Honduras, and Suriname, and the efforts made in fulfillment of those declarations;

The efforts made by Colombia in the area of mine action;

The joint, combined efforts by Ecuador and Peru in demining, the destruction of stockpiles, and transparency measures; and

The sustained effort by Nicaragua to conclude its destruction of antipersonnel mines, which will soon enable it to declare itself a mine-free country in the Hemisphere; its extensive prevention education program aimed at sensitizing children, adolescents, and the general public to mine dangers; and the resolute support it provides for the physical and professional rehabilitation program for mine victims;

RECOGNIZING WITH GRATIFICATION:

The valuable contributions by member states such as Argentina, Bolivia, Brazil, Canada, Chile, Colombia, El Salvador, Guatemala, Honduras, Nicaragua, Peru, the United States, and Venezuela; and by permanent observers such as Austria, Denmark, France, Germany, Italy, Japan, the Netherlands, Norway, the Russian Federation, South Korea, Spain, Sweden, the United Kingdom, and the European Union;

The success of the Program for Comprehensive Action against Antipersonnel Mines (AICMA), which for over 15 years has supported humanitarian demining activities and the destruction of explosive devices;

The important and efficient coordination work of the General Secretariat, through AICMA, together with the technical assistance of the Inter-American Defense Board;

The installation in Santiago, Chile, in September 2007, of the headquarters of the representative for Latin America of the Geneva International Centre for Humanitarian Demining (GICHD); and

The work of nongovernmental organizations in furthering the aim of a Hemisphere and a world free of antipersonnel land mines, which is often performed in cooperation and association with the states;

HAVING SEEN:

The Annual Report of the Permanent Council to the General Assembly (AG/doc.4820/08), in particular the section on matters assigned to the Committee on Hemispheric Security; and

The report of the General Secretariat on the implementation of resolutions AG/RES. 2261 (XXXVII-O/07), "Support for Action against Antipersonnel Mines in Ecuador and Peru," and AG/RES. 2269 (XXXVII-O/07), "The Americas as an Antipersonnel-Land-Mine-Free Zone" (CP/CSH-1014/08);

RECALLING the 18 General Assembly resolutions from 1997 to 2005 directly relating to antipersonnel landmines, which were referenced individually in resolution AG/RES. 2180 (XXXVI-O/06) and adopted by consensus by all member states;

RECALLING ALSO that, in the Declaration on Security in the Americas, adopted at the Special Conference on Security, held in Mexico City on October 28, 2003, the states of the Hemisphere reaffirmed their support for establishing the Hemisphere as an antipersonnel-land-mine-free zone;

NOTING WITH SATISFACTION the global celebrations of the 10th anniversary of the negotiation and signing of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction (Ottawa Convention) in 2007, its many successes over the past decade, and the continued effort to meet the challenges that remain to rid the world of antipersonnel mines; and

NOTING ALSO:

The successful outcome of the Eighth Meeting of States Parties to the Ottawa Convention, held from November 18 to 22, 2007, in Jordan, and the hemispheric commitment to the Convention with the naming of Peru and Canada as the Ottawa Convention co-chairs of the Standing Committee on Mine Clearance, Mine Risk Education and Mine Action Technologies, and of Argentina as co-rapporteur for that Committee, as well as the naming of Chile as co-rapporteur of the Standing Committee on the General Status and Operation of the Convention; and

The Regional Seminar on the Application of Article 5 of the Ottawa Convention ("Destruction of anti-personnel mines in mined areas"), held in Santiago, Chile, on August 16 and 17, 2007, with the participation of representatives of Argentina, Canada, Colombia, Ecuador, Nicaragua, Peru, and Venezuela. That meeting considered national experiences in fulfilling the obligations under this article with a view to identifying the best means and practices to that end and to coming to a better understanding of the rules of the Convention in this regard in order to apply them fully,

RESOLVES:

1. To renew its support for the commitment of member states to strive jointly to rid their territories of antipersonnel land mines and destroy their stockpiles, and to convert the Americas into the world's first antipersonnel-land-mine-free zone.

2. To support comprehensive action against antipersonnel mines efforts in the Republic of Nicaragua, which will make it possible in the near future to declare Central America a mine-free zone.

3. To stress the responsibility of all member states to continue their vital cooperation in mine action as a national, subregional, and regional priority, as well as a means to promote

confidence and security, and to develop statements of remaining goals, contribute resources, and collaborate with the Mine Action Team of the Organization of American States (OAS).

4. To urge the international donor community to continue its support for the comprehensive hemispheric humanitarian task which is still being waged in victim rehabilitation in Guatemala, El Salvador, and other countries, and in ongoing demining activities in Chile, Colombia, Ecuador, Nicaragua, and Peru.

5. To firmly condemn, in accordance with the principles and norms of international humanitarian law, the use, stockpiling, production, and transfer of antipersonnel mines by non-state actors, acts which put at grave risk the population of the affected countries; and to reaffirm that progress toward a mine-free world will be facilitated if non-state actors observe the international norm established by the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction (Ottawa Convention).

6. To condemn also the use of antipersonnel land mines and improvised explosive devices by non-state actors, especially illegal armed groups in Colombia.

7. To celebrate the support demonstrated by 33 member states of the Hemisphere through their ratification of the Ottawa Convention; and to encourage the governments to continue working in the area of mine action in accordance with said Convention and with their mine action plans in order to meet mine-clearance deadlines pursuant to Article 5 of the Convention.

8. To urge member states which have not yet done so to ratify or consider acceding to the Ottawa Convention as soon as possible to ensure its full and effective implementation.

9. To call upon all states parties and non-states parties that share the objectives of the Ottawa Convention to take all necessary action, at the national, subregional, regional, and international levels, to implement the Nairobi Action Plan 2005-2009.

10. To reiterate the importance of participation by all member states in the OAS Register of Antipersonnel Land Mines by April 15 of each year, in keeping with resolution AG/RES. 1496 (XXVII-O/97); and to commend member states which have regularly submitted their reports to that end, instructing them to provide to the OAS Secretary General a copy of the Ottawa Convention Article 7 transparency reports presented to the United Nations Secretary-General. In this connection, in keeping with the spirit of the Ottawa Convention, to invite member states which are not yet party thereto to consider voluntarily providing this information.

11. Once again to urge member states which have not yet done so to become parties as soon as possible to the 1980 United Nations Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects and to the five protocols thereto; and to request member states to inform the Secretary General when they have done so.

12. To request the Inter-American Defense Board (IADB) to continue providing technical advice to the Program for Comprehensive Action against Antipersonnel Mines (AICMA).

13. To instruct the General Secretariat to continue to provide member states, within the resources allocated in the program-budget of the Organization and other resources, with the support necessary to continue the mine-clearing programs, prevention education programs for the civilian population, and programs for the rehabilitation of victims and their families and for the socioeconomic reclamation of demined areas.

14. To request the Secretary General to transmit this resolution to the United Nations Secretary-General and to other international organizations as he deems appropriate.

15. To request the Permanent Council and the General Secretariat to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2400 (XXXVIII-O/08)

SUPPORT FOR THE ACTIVITIES OF THE INTER-AMERICAN DEFENSE BOARD^{1/}

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Chair of the Inter-American Defense Board to the General Assembly (CP/doc.4271/08);

RECALLING resolutions AG/RES. 1 (XXXII-E/06), "Statutes of the Inter-American Defense Board," adopted on March 15, 2006, which established the Inter-American Defense Board (IADB) as an "entity" of the Organization under Article 53 of the Charter of the Organization of American States (OAS), and AG/RES. 2300 (XXXVII-O/07), "Support for the Activities of the Inter-American Defense Board," adopted on June 5, 2007;

RECALLING ALSO that the IADB is not operational in nature and that its Statutes establish that the purpose of the IADB is to provide the OAS and its member states with technical and educational advice and consultancy services on matters related to military and defense issues in the Hemisphere in order to contribute to the fulfillment of the OAS Charter;

WELCOMING the incorporation into the IADB of Jamaica and Panama as member states and of China, Spain, and Denmark as permanent observers;

WELCOMING ALSO the continued commitments of human and other resources made by members of the IADB to fill the elected positions established in the Statutes;

REITERATING its recognition of the invaluable role performed by the IADB in fulfillment of the mandates contained in the resolutions of the General Assembly that contribute to the implementation of the Declaration on Security in the Americas, in particular those activities related to confidence- and security-building measures (CSBMs) and humanitarian demining;

REITERATING ALSO the importance of the advanced academic courses offered by the Inter-American Defense College (IADC) to military officers and civilian officials from OAS member states and to permanent observers, commencing in August 2007;

RECOGNIZING the efforts made by the IADB to promote civil society participation in its meetings and activities, in accordance with resolution CP/RES. 759 (1217/99), "Guidelines for the Participation of Civil Society Organizations in OAS Activities";

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1. The Republic of Nicaragua would not agree to intervention by the Inter-American Defense Board (IADB) in activities that might entail an encroachment on, or damage to, the country's sovereignty, independence, institutions, and legal system. Otherwise, it would not support this resolution or other resolutions with similar content.

NOTING WITH SATISFACTION the activities of the IADB in its second year as an OAS entity, detailed in the Annual Report of the IADB to the General Assembly, in particular those that have deepened its integration into the institutional processes of the Organization;

NOTING WITH SATISFACTION ALSO that, as required by its Statutes, the IADB has undertaken activities to promote interaction and cooperation with other regional and global organizations of a similar nature, related to technical aspects of military and defense issues; and

BEARING IN MIND the Declaration of Managua, adopted at the Seventh Conference of Ministers of Defense of the Americas, and the preparations for the Eighth Conference of Ministers of Defense of the Americas, to be held in Banff, Canada, from September 2 to 6, 2008,

RESOLVES:

1. To urge those member states of the Organization of American States (OAS) that are not yet members of the Inter-American Defense Board (IADB) to become members, in accordance with Article 4.1 of its Statutes.

2. To encourage OAS member states to strengthen and support the IADB by providing military personnel and civilian officials to accomplish its purpose and functions.

3. To encourage all OAS member states to promote participation in the advanced academic courses and seminars offered by the Inter-American Defense College (IADC) to military officers and civilian officials from OAS member states and to permanent observers, commencing in August 2007.

4. To encourage the IADB to continue providing technical assistance to OAS member states in the development and exchange of Defense White Papers, when appropriate, and in the annual reporting on the application of confidence- and security- building measures (CSBMs) to the OAS.

5. To instruct the IADB to coordinate with the General Secretariat, through the Committee on Hemispheric Security, activities related to the needs of the smaller states, which are more vulnerable to traditional threats and to new threats, concerns, and other challenges.

6. To encourage the IADB to continue to foster and promote the participation of civil society in its meetings and activities, in accordance with its Statutes.

7. To request the IADB to promote, with other hemispheric organizations and forums of a similar nature, awareness of OAS declarations and resolutions concerning military and defense issues.

8. To call upon the member states, permanent observers, and other donors to support, through voluntary contributions, the activities undertaken by the IADB in carrying out its purpose.

9. To request the General Secretariat to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2401 (XXXVIII-O/08)

SEVENTH INTER-AMERICAN SPECIALIZED CONFERENCE
ON PRIVATE INTERNATIONAL LAW

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.4820/08) as it pertains to the Seventh Inter-American Specialized Conference on Private International Law (CIDIP-VII);

RECALLING resolutions AG/RES. 1923 (XXXIII-O/03), AG/RES. 2033 (XXXIV-O/04), AG/RES. 2065 (XXXV-O/05), and AG/RES. 2217 (XXXVI-O/06), which, respectively, convened CIDIP-VII, analyzed member state proposals for CIDIP-VII, selected Consumer Protection and Secured Transaction Registries as the two topics for its agenda, and established its methodology and preparatory work, as well as resolution AG/RES. 2285 (XXXVII-O/07);

RECALLING that the CIDIP process is the principal component of the OAS for the development and harmonization of private international law in the Western Hemisphere, through which 26 inter-American instruments have been adopted; and

CONSIDERING:

That in the area of consumer protection, the Government of Brazil has proposed a draft Convention on Applicable Law; the Government of Canada, a Draft Model Law on Jurisdiction and Applicable Law; and the Government of the United States, a Legislative Guide and Model Laws on Monetary Redress;

That on the basis of the results of consultations, the proposing states are working toward completion of their draft Convention, Legislative Guide, and Model Laws on consumer protection; and

That insufficient progress has been made in the established working groups on consumer protection and secured transactions registries,

RESOLVES:

1. To thank the working groups on consumer protection and secured transactions registries of the Inter-American Specialized Conference on Private International Law (CIDIP) for their efforts. In the future they will be composed of government officials or representatives appointed by the states.

2. To urge the Consumer Protection Working Group to establish a work plan and agenda for further discussions with a view to completing the proposed instruments on the topic.

3. To urge member states to continue, with support from the General Secretariat, preparatory work in the area of secured transaction registries with a view to completing the instruments on this topic.

4. To instruct the General Secretariat to continue lending its support, through the Department of International Law of the Secretariat for Legal Affairs, to the preparatory work for CIDIP-VII and, if necessary, to seek external funding for the preparatory and final work of this Conference.

5. To instruct the Permanent Council to set a date (or dates) for CIDIP-VII once the experts complete their preparatory work on consumer protection and secured transactions.

6. To request the Permanent Council to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2402 (XXXVIII-O/08)

PROTECTION OF ASYLUM SEEKERS AND REFUGEES
IN THE AMERICAS

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

RECALLING resolution AG/RES. 2232 (XXXVI-O/06), "Protection of Asylum Seekers, Refugees, and Returnees in the Americas," and resolutions AG/RES. 1762 (XXX-O/00), AG/RES. 1832 (XXXI-O/01), AG/RES. 1892 (XXXII-O/02), AG/RES. 1971 (XXXIII-O/03), AG/RES. 2047 (XXXIV-O/04), and AG/RES. 2296 (XXXVII-O/07);

WELCOMING the fact that 28 member states of the Organization of American States (OAS) have acceded to the 1951 Convention Relating to the Status of Refugees and 30 to its 1967 Protocol; that most of those countries have incorporated their provisions into their domestic laws and regulations; and that Chile, Mexico, and Nicaragua are in the process of adopting new domestic legislation on refugees;

UNDERSCORING the importance of the Cooperation Agreement signed on November 12, 2007, by the OAS General Secretariat and the Office of the United Nations High Commissioner for Refugees (UNHCR) to promote international refugee law in the Hemisphere;

RECOGNIZING the commitment assumed by OAS member states to continue extending protection to asylum seekers and refugees on the basis of the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol, and to seek lasting solutions to their situation;

RECOGNIZING ALSO the efforts that countries of origin are making, with support from the international community, to deal with the circumstances that generate flows of asylum seekers and the importance of persisting in those efforts;

EMPHASIZING the efforts made by some receiving countries of the region, faithful to their generous tradition of asylum even under difficult socioeconomic conditions, to continue extending protection to asylum seekers and refugees;

UNDERSCORING the importance of implementation of the Mexico Plan of Action to Strengthen the International Protection of Refugees in Latin America, adopted by 20 Latin American states on November 16, 2004, in Mexico City, in the context of the commemoration of the 20th anniversary of the 1984 Cartagena Declaration on Refugees, in order to meet protection needs and to make progress in the search for durable solutions for refugees in the region, and the report evaluating its implementation presented by the UNHCR in Geneva, Switzerland, in September 2007;

WELCOMING the initiatives taken in accordance with that Plan of Action by Argentina, Brazil, and Chile to establish and implement the Regional Solidarity Resettlement Program, and the recent incorporation of Uruguay and Paraguay into said program;

UNDERSCORING the importance of international technical and financial cooperation to adequately address, and to find or, as appropriate, support durable solutions to, the situation of refugees and asylum seekers; and noting with satisfaction, in this context, the signing of agreements between the UNHCR and various countries of the region aimed at improving national protection mechanisms;

RECOGNIZING the responsibility of states to provide international protection to refugees on the basis of the principles of international solidarity and responsibility-sharing; and

HIGHLIGHTING the importance of the special meeting of January 29, 2008, on current issues in international refugee law organized by the OAS Committee on Juridical and Political Affairs with support from the Department of International Law of the General Secretariat and from the UNHCR,

RESOLVES:

1. To reaffirm its support for, and emphasize the relevance and fundamental importance of, the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol, as the principal universal instruments for the protection of refugees; and to urge the member states that are parties thereto to continue to implement fully and effectively all of their obligations in that regard.

2. To urge those states parties that have not yet done so to consider, as the case may be, signing, ratifying, or acceding to the international instruments in the area of refugees, and to promote the adoption of procedures and institutional mechanisms for their effective application, in accordance with those instruments.

3. To support the Mexico Declaration and Plan of Action to Strengthen the International Protection of Refugees in Latin America; and to continue implementing it fully and effectively, with support from the international community and from the Office of the United Nations High Commissioner for Refugees (UNHCR).

4. To urge member states and the international community to collaborate in and support the strengthening and consolidation of the “Borders of Solidarity,” “Cities of Solidarity,” and “Resettlement in Solidarity” programs proposed in the Mexico Plan of Action.

5. To reaffirm the importance and the vital role of international cooperation in the search for, and strengthening of, durable solutions to address the situation of refugees and asylum seekers; and to urge member states and the international community to increase technical and economic cooperation to the countries of the Hemisphere that receive refugees and that so require, and to work in cooperation with the UNHCR to provide effective protection to asylum seekers and refugees in the region.

6. To recognize the efforts and the progress that the countries of origin have been making; and to encourage them, to the extent of their ability and with support from the UNHCR and the international community, to continue making efforts to deal with the circumstances that generate flows of asylum seekers.

7. To recognize the efforts and progress that countries of the Hemisphere that receive refugees have made in implementing protection mechanisms, in accordance with international refugee law and the international principles of refugee protection established therein.

8. To instruct the Permanent Council to organize in the second half of 2008, through the Committee on Juridical and Political Affairs and with support from the Department of International Law of the General Secretariat and the collaboration of the UNHCR, a course on international refugee law for staff of the permanent missions of member states to the Organization of American States (OAS), General Secretariat personnel, and other interested persons.

9. To request the Permanent Council to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2403 (XXXVIII-O/08)

STUDY OF THE RIGHTS AND THE CARE OF PERSONS
UNDER ANY FORM OF DETENTION OR IMPRISONMENT

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

RECALLING resolutions AG/RES. 1816 (XXXI-O/01), AG/RES. 1897 (XXXII-O/02), AG/RES. 1927 (XXXIII-O/03), AG/RES. 2037 (XXXIV-O/04), AG/RES. 2125 (XXXV-O/05), AG/RES. 2233 (XXXVI-O/06), and AG/RES. 2283 (XXXVII-O/07);

TAKING INTO ACCOUNT:

That in the inter-American system the member states of the Organization of American States (OAS) undertake to respect and protect the human rights of persons who have been deprived of freedom, including all applicable rights established in the American Declaration of the Rights and Duties of Man and those established in all other human rights instruments to which they are party;

That consultations with the member states on this subject have continued within the Committee on Juridical and Political Affairs (CAJP) and that a number of them have replied to the questionnaire prepared for that purpose (CP/CAJP-1853/01 rev. 1);

The conclusions and recommendations of the Fifth Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas (REMJA-V), contained in its Final Report (REMJA-V/doc.9/04), and, in particular, the recommendation that the states promote “modernization of prison infrastructure and extend the functions of rehabilitation and social integration of the individual, by improving conditions of detention and studying new penitentiary standards”;

The conclusions and recommendations of the Sixth Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas (REMJA-VI), including those on a possible inter-American declaration on the rights, duties, and care of persons under any form of detention or imprisonment and those on the feasibility of preparing a hemispheric manual on penitentiary rights, taking as a basis the United Nations Standard Minimum Rules for the Treatment of Prisoners (REMJA-VI/doc.21/06 rev. 1, paragraphs 4.d and b); and

The Recommendations of the First Meeting of Officials Responsible for the Penitentiary and Prison Policies of the OAS Member States (GAPECA/doc.04/03), held in Washington, D.C., on October 16 and 17, 2003;

TAKING NOTE of the “Principles and Best Practices on the Protection of Persons Deprived of Liberty in the Americas,” adopted by the Inter-American Commission on Human Rights at its 131st regular session through resolution 01/08; and

OBSERVING WITH CONCERN the critical situation of violence and overcrowding in places of deprivation of freedom in the Americas; and stressing the need to take concrete measures to prevent this situation in order to ensure the exercise of the human rights of persons deprived of freedom,

RESOLVES:

1. To urge member states to comply, under all circumstances, with all applicable international obligations to respect the human rights of persons under any form of detention or imprisonment, including the rights established in the American Declaration of the Rights and Duties of Man and those established in all other human rights instruments to which they are party.

2. To instruct the Permanent Council to continue studying the question of the rights and the care of persons under any form of detention or imprisonment, in cooperation with the competent organs and entities of the inter-American system and taking into account the conclusions and recommendations of the Seventh Meeting of Ministers of Justice or Other Ministers or Attorneys General of the Americas, contained in the Final Report of that meeting (REMJA-VII/doc.7/08 rev. 1), including the reports of the meetings of officials responsible for penitentiary and prison policies.

3. To request the Inter-American Commission on Human Rights (IACHR), at the request of the Rapporteurship on the Rights of Persons Deprived of Freedom, to continue reporting on the situation of persons under any form of detention or imprisonment in the Hemisphere and, using as a basis its work on the subject, to continue making reference to the problems and best practices it observes.

4. To congratulate and acknowledge those member states that have invited the Special Rapporteur on the Rights of Persons Deprived of Freedom in the Americas of the IACHR to visit their countries, including their detention centers; and to encourage all member states to facilitate such visits.

5. Also to recognize the important work of the International Committee of the Red Cross, within its sphere of competence, to help persons deprived of liberty in detention centers and prisons to receive humane treatment.

6. To call upon member states to consider allocating more funds to the IACHR to enable it to support the effective fulfillment of the mandate assigned to its Special Rapporteurship on the Rights of Persons Deprived of Freedom in the Americas.

7. To reiterate to the Permanent Council that, on the basis of the results of the discussions and studies conducted, including the inputs of the IACHR, such as the document entitled "Principles and Best Practices on the Protection of Persons Deprived of Liberty in the Americas" and the work of the Special Rapporteur on the Rights of Persons Deprived of Freedom in the Americas of the IACHR, and the results of the Second Meeting of Officials Responsible for Penitentiary and Prison Policies, to be held pursuant to the REMJA-VII decision, it consider the possibility of drafting an inter-American declaration on the rights, duties, and care of persons under any form of detention or imprisonment, with a view to strengthening existing international standards on these topics, and the feasibility of preparing a hemispheric manual on penitentiary rights, taking as a basis the United

Nations Standard Minimum Rules for the Treatment of Prisoners, and that it keep the member states abreast of developments.

8. To request the Permanent Council to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2404 (XXXVIII-O/08)

EDUCATION ON HUMAN RIGHTS IN FORMAL EDUCATION IN THE AMERICAS

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

RECALLING resolution AG/RES. 2066 (XXXV-O/05), in which the General Assembly of the Organization of American States (OAS) suggested including human rights content and basic activities in the academic curricula of educational institutions, and resolution AG/RES. 2321 (XXXVII-O/07);

CONSIDERING that in the Plan of Action of the First Summit of the Americas, held in Miami in 1994, the Heads of State and Government established that governments should “[d]evelop programs for the promotion and observance of human rights, including educational programs to inform people of their legal rights and their responsibility to respect the rights of others”;

CONSIDERING ALSO that Article 13 of the Inter-American Democratic Charter establishes that “[t]he promotion and observance of economic, social, and cultural rights are inherently linked to integral development, equitable economic growth, and to the consolidation of democracy in the states of the Hemisphere”;

BEARING IN MIND that Article 13.2 of the Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights, “Protocol of San Salvador,” refers to essential factors to which education in each of the states parties should be directed, one of them being respect for human rights;

APPRECIATING the efforts of the Inter-American Institute of Human Rights (IHR) in producing, uninterruptedly since 2002, five Inter-American Reports on Human Rights Education, which record progress made by the states parties to the Protocol of San Salvador with respect to human rights education;

RECALLING that Article 49 of the Charter of the Organization of American States provides that “[t]he Member States will exert the greatest efforts, in accordance with their constitutional processes, to ensure the effective exercise of the right to education,” taking into account, *inter alia*, that “[e]lementary education, compulsory for children of school age, shall also be offered to all others who can benefit from it. When provided by the State it shall be without charge”;

CONSIDERING that the right to human rights education from the very first years at school helps strengthen the democratic system, development, security, and progress of the free societies of the Americas;

REAFFIRMING that the Inter-American Democratic Charter regards the promotion and protection of human rights as a prerequisite for the existence of a democratic society;

APPRECIATING the efforts of the Conference of Ministers of Education on Human Rights Education, convened by the Minister of Education of Panama and the IIHR and held in May and June 2007, to strengthen the human rights material incorporated into the member states' formal educational systems;

RECOGNIZING that effectively incorporating human rights education into the formal educational system, a measure to which all member states are committed, is an aspect of medium- and long-term efforts and therefore requires financial sustainability;

RECOGNIZING ALSO that the IIHR has, in compliance with its mandates, been playing a fundamental role in supporting the inter-American system for the effective incorporation of education on human rights into formal educational systems and in other areas in the countries of the Americas; and

NOTING WITH SATISFACTION the progress made in the implementation of the Inter-American Program on Education for Democratic Values and Practices since its launch in August 2005, and the important role played by the IIHR on the Advisory Board for the Program,

RESOLVES:

1. To acknowledge the progress, actions, and policies gradually being implemented by member states with respect to human rights education for children and young people in academic institutions, as documented by the Inter-American Reports on Human Rights Education.
2. To suggest to member states that they implement, if and to the extent that they have not yet done so, the recommendations contained in the Inter-American Reports on Human Rights Education at different levels in their formal education systems.
3. To suggest to member states that they analyze the contributions of the Curricular and Methodological Proposal of the Inter-American Institute of Human Rights (IIHR) to incorporate human rights education into the official curriculum for children aged 10 to 14, with a view to their adopting it and in accordance with Article 13.2 of the Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights, "Protocol of San Salvador." Accordingly, to recommend to member states that have not already done so that they adopt, sign, and ratify this instrument.
4. To underscore the work and achievements of the Inter-American Meeting of Ministers of Education on Human Rights Education in the signatory states to the Protocol of San Salvador, in which participants shared their experience and discussed the curricular and methodological developments needed to introduce or strengthen human rights education in each state party's educational system.
5. To encourage member states to continue supporting the IIHR in educational activities and projects conducted at the national and regional levels under this mandate.

AG/RES. 2405 (XXXVIII-O/08)

INTER-AMERICAN PROGRAM FOR THE DEVELOPMENT OF INTERNATIONAL LAW

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.4820/08), in particular as it pertains to the implementation of resolution AG/RES. 2264 (XXXVII-O/07), “Inter-American Program for the Development of International Law”;

CONSIDERING that in 1996 the General Assembly adopted the Declaration of Panama on the Inter-American Contribution to the Development and Codification of International Law [AG/DEC. 12 (XXVI-O/96)], and that in 1997, by resolution AG/RES. 1471 (XXVII-O/97), it adopted the Inter-American Program for the Development of International Law;

CONSIDERING ALSO that the General Assembly has reaffirmed its support for said Program through resolutions AG/RES. 1557 (XXVIII-O/98), AG/RES. 1617 (XXIX-O/99), AG/RES. 1705 (XXX-O/00), AG/RES. 1766 (XXXI-O/01), AG/RES. 1845 (XXXII-O/02), AG/RES. 1921 (XXXIII-O/03), AG/RES. 2032 (XXXIV-O/04), AG/RES. 2070 (XXXV-O/05), AG/RES. 2174 (XXXVI-O/06), and AG/RES. 2264 (XXXVII-O/07);

UNDERSCORING the importance and ongoing validity of the principles of international law set forth in the Charter of the Organization of American States (OAS), as a standard to govern the conduct of states in their relations with one another; and

TAKING NOTE:

Of the Report on the Inter-American Program for the Development of International Law (Activities carried out by the Office of International Law of the Department of International Legal Affairs) (2007) (CP/CAJP-2578/07);

Of the XXXIV Course on International Law, held in Rio de Janeiro, Brazil, from July 30 to August 24, 2007, and of the Workshops on International Law, held in Managua, Nicaragua, from November 19 to 23, 2007; and

Of the First and the Second Course on International Humanitarian Law and the Introductory Course on the Human Rights of Migrants, Including Migrant Workers and Their Families, for staff of the permanent missions of the member states and of the General Secretariat, organized by the Department of International Law and held at OAS headquarters,

RESOLVES:

1. To reaffirm the importance of, and its support for, the Inter-American Program for the Development of International Law; and to request the Department of International Law to continue carrying out the activities enumerated in the Program.

2. To urge the General Secretariat to continue, through the Department of International Law, conducting the Workshops on International Law and the Course on International Law in Rio de Janeiro as well as other activities designed to increase awareness of international law, with special emphasis on the inter-American system, and to continue disseminating legal information on the system and the status of signatures and ratifications of inter-American treaties deposited with the General Secretariat, through publications, electronic media, and the Internet, in all the official languages of the Organization of American States (OAS).

3. To urge the General Secretariat to continue holding workshops, through the Department of International Law and in the framework of the Committee on Juridical and Political Affairs, on topics of interest in the field of international law and the study and development of inter-American law, directed at the staff of the permanent missions of the member states, General Secretariat personnel, academic sectors, and the general public.

4. To request the General Secretariat to continue, through the Department of International Law, doing its utmost to disseminate information on the instruments of the inter-American system in diplomatic academies, other training centers for civil servants, and other law schools in the Hemisphere, in the context of the mandates of the Inter-American Program for the Development of International Law.

5. To request the Permanent Council to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2406 (XXXVIII-O/08)

RIGHT TO THE TRUTH

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

HAVING SEEN resolutions AG/RES. 2175 (XXXVI-O/06) and AG/RES. 2267 (XXXVII-O/07), “Right to the Truth”;

CONSIDERING the American Declaration of the Rights and Duties of Man, the American Convention on Human Rights, or “Pact of San José, Costa Rica,” the Inter-American Convention to Prevent and Punish Torture, and the Inter-American Convention on Forced Disappearance of Persons;

CONSIDERING IN PARTICULAR Articles 25, 8, 13, and 1.1 of the American Convention on Human Rights, related, respectively, to the right to judicial protection, the right to due process and judicial guarantees, the right to freedom of expression, and the duty of states to respect and guarantee human rights;

CONSIDERING ALSO the provisions of the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Geneva Conventions of 1949 and the 1977 Additional Protocols thereto, the 2006 International Convention for the Protection of All Persons from Enforced Disappearance, and other relevant instruments of international human rights law and international humanitarian law, as well as the Vienna Declaration and Programme of Action;

NOTING the universality, interdependence, indivisibility, and interrelatedness of civil, political, economic, social, and cultural rights;

TAKING NOTE of Articles 32 and 33 of Additional Protocol I, adopted on June 8, 1977, to the Geneva Conventions of August 12, 1949, and relating to the Protection of Victims of International Armed Conflicts, which recognize the right of families, as soon as circumstances permit, to know the fate of persons who have disappeared in armed conflicts;

STRESSING that adequate steps to identify victims should also be taken in situations not amounting to armed conflict, especially in cases of severe or systematic violations of human rights;

RECALLING resolution 2005/66 of the United Nations Commission on Human Rights, on the right to the truth, and decision 2/105 of the United Nations Human Rights Council;

RECALLING ALSO resolution AG/RES. 445 (IX-O/79), on the promotion of human rights, and resolutions AG/RES. 510 (X-O/80), AG/RES. 618 (XII-O/82), AG/RES. 666 (XIII-O/83), and AG/RES. 742 (XIV-O/84), on forced disappearance;

TAKING INTO ACCOUNT resolution AG/RES. 2134 (XXXV-O/05), on persons who have disappeared, and resolutions AG/RES. 2231 (XXXVI-O/06) and AG/RES. 2295 (XXXVII-O/07), on persons who have disappeared and assistance to members of their families;

NOTING that the General Assembly has received reports from the Inter-American Commission on Human Rights (IACHR) on the human rights situation in certain countries of the region, which refer to the right to the truth and recognize that the disappearance of persons causes suffering and hardship, especially to relatives and any other person having a legitimate interest, who are uncertain about their fate and unable to provide them with legal, moral, and material assistance;

NOTING ALSO that the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights have recognized the right to the truth in their respective recommendations and judgments in various individual cases of human rights violations;

TAKING NOTE of the oral progress report presented by the IACHR in April 2008 on the preparation of the report requested in resolution AG/RES. 2267 (XXXVII-O/07);

ACKNOWLEDGING that the right to the truth may be characterized differently in some legal systems as the right to know or to be informed or as freedom of information;

ACKNOWLEDGING ALSO the study on the right to the truth prepared by the Office of the United Nations High Commissioner for Human Rights (E/CN.4/2006/91) in fulfillment of Human Rights Commission resolution 2005/66;

RECALLING the conclusions of the regional seminar "Memory, Truth, and Justice: Our Recent Past," held in the context of the Meeting of Competent High Authorities on Human Rights and Foreign Ministries of MERCOSUR and Associated States, in November 2005, which recognize the collective dimension of the right to the truth;

STRESSING that the regional community should make a commitment to recognize the right of victims of gross violations of human rights and serious violations of international humanitarian law, and of their families and society as a whole, to know the truth regarding such violations to the fullest extent practicable, in particular the identity of the perpetrators, the causes and facts of such violations, and the circumstances under which they occurred;

STRESSING ALSO that it is important for states to provide effective mechanisms for society as a whole and, in particular, for relatives of the victims, to learn the truth regarding gross violations of human rights and serious violations of international humanitarian law; and

CONVINCED that states, within the framework of their own internal legal systems, should preserve records and other evidence concerning gross violations of human rights and serious violations of international humanitarian law, in order to facilitate knowledge of such violations, investigate allegations, and provide victims with access to an effective remedy in accordance with international law, in order to prevent these violations from occurring again in the future, among other reasons,

RESOLVES:

1. To recognize the importance of respecting and ensuring the right to the truth so as to contribute to ending impunity and to promoting and protecting human rights.

2. To welcome the establishment in several states of specific judicial mechanisms, as well as other non-judicial or ad hoc mechanisms, such as truth and reconciliation commissions, that complement the justice system, to contribute to the investigation of violations of human rights and of international humanitarian law; and to express appreciation for the preparation and publication of the reports and decisions of these bodies.

3. To encourage the states concerned to disseminate and implement the recommendations of national non-judicial or ad hoc mechanisms, such as truth and reconciliation commissions, to monitor the implementation of said recommendations at the domestic level, and to report on compliance with the decisions of judicial mechanisms.

4. To encourage other states to consider the possibility of establishing specific judicial mechanisms and, where appropriate, truth commissions or other similar bodies to complement the justice system in order to contribute to the investigation and punishment of gross violations of human rights and serious violations of international humanitarian law.

5. To encourage states and the Inter-American Commission on Human Rights (IACHR), within its sphere of competence, to provide the states that so request with necessary and appropriate assistance concerning the right to the truth, through, *inter alia*, technical cooperation and information exchange on national administrative, legislative, and judicial measures applied, as well as experiences and best practices geared toward the protection, promotion, and implementation of this right.

6. Once again to request the IACHR to continue working on the preparation of a report, for presentation to the Permanent Council in the second half of 2008, on the evolution of the right to the truth in the Hemisphere, which report shall include national mechanisms and experiences in this regard. This will be done with a view to the Permanent Council's holding, in the first half of 2009, a special meeting on the right to the truth to discuss the IACHR report and exchange national experiences.

7. To encourage all states to take appropriate measures to establish mechanisms or institutions for reporting information on human rights violations and ensuring that citizens have appropriate access to said information, in order to further the exercise of the right to the truth, prevent future human rights violations, and establish accountability in this area.

8. To request the Permanent Council to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2407 (XXXVIII-O/08)

STRENGTHENING OF HUMAN RIGHTS SYSTEMS PURSUANT TO THE MANDATES
ARISING FROM THE SUMMITS OF THE AMERICAS

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.4820/08) as it pertains to this topic, as well as resolutions AG/RES. 1828 (XXXI-O/01), AG/RES. 1890 (XXXII-O/02), AG/RES. 1925 (XXXIII-O/03), AG/RES. 2030 (XXXIV-O/04), AG/RES. 2075 (XXXV-O/05), AG/RES. 2220 (XXXVI-O/06), and AG/RES. 2291 (XXXVII-O/07);

REAFFIRMING that universal promotion and protection of human rights, including civil, political, economic, social, and cultural rights, based on the principles of universality, indivisibility, and interdependence, as well as respect for international law, including international humanitarian law, international human rights law, and international refugee law, are essential to the functioning of democratic societies; and stressing the importance of respect for the rule of law, effective and equal access to justice, and participation by all elements of society in public decision-making processes;

REAFFIRMING ALSO the importance of the inter-American human rights system, whose organs have competence to promote the observance of human rights in all member states of the Organization of American States (OAS), in accordance with the commitments undertaken by each state, and which operate in a manner subsidiary to national jurisdictional systems;

EXPRESSING that strengthening the autonomy of the Inter-American Commission on Human Rights (IACHR) in the context of the Charter of the Organization of American States, the American Convention on Human Rights, and the Statute and Rules of Procedure of said Commission, will lead to improvements in the inter-American human rights system;

CONSIDERING that the Organization can serve as a forum for contributing to the efforts of member states to develop and strengthen national systems for the promotion and protection of human rights; and

BEARING IN MIND the Declaration and Plan of Action of the Third Summit of the Americas, held in Quebec City in 2001, and of the Fourth Summit of the Americas, held in Mar del Plata, Argentina, in 2005, in particular, paragraphs 45 and 62 of the Plan of Action of the Fourth Summit, on the development of comprehensive economic and social policies and on strengthening of the inter-American human rights system, respectively,

RESOLVES:

1. To reaffirm the commitment of member states to continue strengthening and improving the inter-American system for the promotion and protection of human rights and, in that connection, to continue to take the following concrete measures aimed at implementing the respective mandates of the Heads of State and Government arising from the Summits of the Americas, in

particular, the Third Summit, held in Quebec City, and the Fourth Summit, held in Mar del Plata, Argentina:

- a. Universalization of the inter-American human rights system by considering the signature and ratification or ratification of, or accession to, as soon as possible and as the case may be, all universal and inter-American human rights instruments;
- b. Compliance with the judgments of the Inter-American Court of Human Rights and follow-up of the recommendations of the Inter-American Commission on Human Rights (IACHR);
- c. Improvement of access by victims to the mechanisms of the inter-American human rights system;
- d. Adequate financing of the Inter-American Court of Human Rights and the Inter-American Commission on Human Rights, including the fostering of voluntary contributions, so that they may continue to address their activities and responsibilities; and
- e. Examination of the possibility that the Inter-American Court of Human Rights and the Inter-American Commission on Human Rights may come to operate on a permanent basis, taking into account, among other things, the views of those organs.

2. To recognize the following progress made in the specific areas of the inter-American human rights system, namely:

- a. The broad process of reflection on the inter-American system for the promotion and protection of human rights, within the Committee on Juridical and Political Affairs (CAJP) of the Permanent Council, and the importance of the informal meetings held in the framework of the CAJP and of the exchange of proposals and comments between the member states and the organs of the inter-American human rights system, regarding ways to strengthen and improve it;
- b. Also, the contribution by those meetings to the “dialogue on the workings of the inter-American human rights system between member states and the members of the Inter-American Commission on Human Rights and the judges of the Inter-American Court of Human Rights,” on April 4, 2007, at which inputs were also received from civil society organizations in accordance with the Guidelines for Participation by Civil Society Organizations in OAS activities, as recorded in the report of the meeting (CP/CAJP-2644/08);
- c. The deposit by Mexico, on August 20, 2007, of its instrument of accession to the Protocol to the American Convention on Human Rights to Abolish the Death Penalty;

- d. The voluntary contributions to facilitate the work of the organs of the inter-American human rights system made by Canada, Chile, Colombia, Costa Rica, Mexico, and the United States; by Denmark, Finland, France, Ireland, Italy, Norway, the Republic of Korea, Spain, and Sweden; and also by the European Union, the Inter-American Development Bank, the Office of the United Nations High Commissioner for Refugees, the Save the Children Foundation, and the University of Notre Dame; and
- e. To recognize the effort made by the IACHR in beginning the process of consultation on the proposed amendments to its Rules of Procedure in 2007, and the receipt of inputs from member states and civil society, all of which contributes to improved performance and protection of the inter-American human rights system.

3. To instruct the Permanent Council to meet the objectives mentioned in operative paragraph 1 and to complement and consolidate the progress referred to in operative paragraph 2, by:

- a. Continuing the broad process of reflection on the inter-American system for the promotion and protection of human rights, as a matter of special importance in the work program of the CAJP adopted each year, and, to that end, that meetings be scheduled taking into account the proposals put forward in the discussions that took place in said Committee. Said process of reflection will continue in consultation with the member states, specialized agencies of the inter-American human rights system, nongovernmental organizations, national human rights institutes, academic institutions, and experts in the field, regarding:
 - i. The major challenges facing the inter-American system for the promotion and protection of human rights in the Hemisphere;
 - ii. Possible actions to strengthen and improve the system; and
 - iii. The advisability of convening an inter-American human rights conference;
- b. Continuing to examine, principally through the Committee on Administrative and Budgetary Affairs (CAAP) of the Permanent Council, ways to bring about adequate financing of the organs of the inter-American human rights system in the program-budget of the Organization;
- c. Supporting any initiatives taken by the Inter-American Court of Human Rights and the Inter-American Commission on Human Rights to request funding from international and regional agencies to further the activities of the organs of the inter-American system for the promotion and protection of human rights;
- d. Encouraging, in addition, member states to contribute to the Specific Fund for Strengthening the Inter-American System for the Protection and

Promotion of Human Rights, as well as to the Oliver Jackman Fund established by resolution AG/RES. 2329 (XXXVII-O/07);

- e. Continuing to consider ways to promote compliance with the judgments of the Inter-American Court of Human Rights and follow-up of the recommendations of the Inter-American Commission on Human Rights by member states;
- f. Continuing to analyze the priorities for improvement of the inter-American human rights system, including consideration of the possibility that the Inter-American Court of Human Rights and the Inter-American Commission on Human Rights may come to operate on a permanent basis, taking into account related information provided by the presidents of both organs;
- g. Holding each year, within the CAJP, the dialogue between the member states and the members of the Inter-American Commission on Human Rights and judges on the Inter-American Court of Human Rights on how the inter-American human rights system operates. The CAJP will establish the agenda for said meeting at least two months in advance; and
- h. Requesting the Inter-American Court of Human Rights and the Inter-American Commission on Human Rights to continue to report on the impact and the meaning in practice of their regulatory reforms for the work of both organs and for the strengthening of the system.

4. To continue to promote the strengthening of national systems for the promotion and protection of human rights in member states; and, to that end, to urge the pertinent organs, agencies, and entities of the Organization to provide, in accordance with their capabilities and resources, cooperation and technical support to the member states that so request, in order to help enhance compliance with their international human rights obligations, and to develop cooperative relations and information exchange with, *inter alia*, the Ibero-American Federation of Ombudsmen, the Caribbean Ombudsmen's Association, the Network of National Human Rights Institutions of the Americas, the Andean Council of Ombudsmen, and the Central American Ombudsman Council.

5. To urge member states to consider signing and ratifying, ratifying, or acceding to, as the case may be, the Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights, "Protocol of San Salvador."

6. To request the Permanent Council to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2408 (XXXVIII-O/08)

OBSERVATIONS AND RECOMMENDATIONS ON THE ANNUAL REPORT
OF THE INTER-AMERICAN COURT OF HUMAN RIGHTS

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

HAVING SEEN the Observations and Recommendations of the Member States on the Annual Report of the Inter-American Court of Human Rights (CP/CAJP-2628/08);

HIGHLIGHTING that 2009 marks the 40th anniversary of the adoption of the American Convention on Human Rights and the 30th anniversary of the establishment of the Inter-American Court of Human Rights;

CONSIDERING:

That in the Declaration of the Third Summit of the Americas, held in Quebec City, the Heads of State and Government stated that their “commitment to full respect for human rights and fundamental freedoms is based on shared principles and convictions” and that they supported “strengthening and enhancing the effectiveness of the inter American human rights system, which includes ... the Inter-American Court of Human Rights”;

That in the Declaration and the Plan of Action of the Fourth Summit of the Americas, held in Mar del Plata, Argentina, the Heads of State and Government recognized that the promotion and protection of human rights, on the basis of the principles of universality, indivisibility, and interdependence, are essential to the functioning of democratic societies. Likewise, they undertook “[t]o continue supporting and strengthening the functioning of the bodies of the Inter-American System of Human Rights, promoting within the political bodies of the OAS, in the framework of the ongoing reflection process, concrete actions to achieve, among other objectives, greater adherence to the legal instruments, an effective observance of the decisions by the Inter-American Court of Human Rights and due consideration of the recommendations of the Inter-American Commission of Human Rights, and the improvement of access of the victims to the mechanisms of the system, and the adequate financing of the bodies of the System, including the fostering of voluntary contributions”;

That Article 54.f of the Charter of the Organization of American States establishes that it is a function of the General Assembly to consider the observations and recommendations presented by the Permanent Council on the reports of the organs, agencies, and entities of the Organization, in accordance with Article 91.f of the Charter; and

That Article 65 of the American Convention on Human Rights establishes that “to each regular session of the General Assembly of the Organization of American States the Court shall submit, for the Assembly’s consideration, a report on its work during the previous year. It shall specify, in particular, the cases in which a state has not complied with its judgments, making any pertinent recommendations”;

UNDERSCORING WITH SATISFACTION the efficient work done by the Inter-American Court of Human Rights in the exercise of its advisory functions, and in particular its substantial output in 2007 with respect to its contentious functions;

EXPRESSING ITS APPRECIATION for the offers of the Governments of Chile, Paraguay, Argentina, Brazil, El Salvador, Guatemala, Colombia, Honduras, Uruguay, Mexico, Ecuador, and the Dominican Republic to host special sessions of the Inter-American Court of Human Rights, as a means of promoting the inter-American human rights system;

NOTING the practice initiated by the Inter-American Court of Human Rights to hold private hearings on the monitoring of compliance with its judgments;

RECOGNIZING the importance of the training activities carried out by the Inter-American Court of Human Rights for judges and others involved in the administration of justice, as a means of bringing about a better understanding of the inter-American human rights system;

EXPRESSING APPRECIATION for the valuable, detailed report “Monetary Reparations and Status of Compliance Therewith,” presented to the states by the Inter-American Court of Human Rights, which describes and highlights the Court’s work in this area; and

UNDERSCORING the importance of the initiative of the Inter-American Court of Human Rights to hold a seminar in 2009, with the participation of civil society, on progress made in human rights in the region, which would also afford an excellent opportunity to share best practices on the subject and to consider the present problems faced by the system and its future challenges,

RESOLVES:

1. To adopt the Observations and Recommendations of the Member States on the Annual Report of the Inter-American Court of Human Rights (CP/CAJP-2628/08); and to forward them to that organ.
2. To reaffirm the essential value of the work of the Inter-American Court of Human Rights in enhancing the protection and defense of human rights in the Hemisphere.
3. To reiterate that the judgments of the Inter-American Court of Human Rights are final and may not be appealed, and that the states parties to the American Convention on Human Rights undertake to comply with the decisions of the Court in all cases to which they are party.
4. To reiterate the need for states parties to provide, in a timely fashion, the information requested by the Court in order to enable it to fully meet its obligation to report to the General Assembly on compliance with its judgments.
5. To reaffirm the importance of:
 - a. The advisory function of the Inter-American Court of Human Rights for the development of inter-American jurisprudence and international human rights law;

- b. The jurisprudence of the Inter-American Court of Human Rights for the effective exercise of and respect for human rights in the Hemisphere; and consequently the importance of the dissemination of its decisions by the member states, as they deem it appropriate;
 - c. The special sessions of the Inter-American Court of Human Rights held away from its headquarters, given their importance in disseminating information on the inter-American human rights system and especially on the work of the Inter-American Court; and
 - d. The training activities conducted by the Inter-American Court for judges and others involved in the administration of justice.
6. To instruct the Permanent Council to:
- a. Continue its consideration of the issue of “Access of victims to the Inter-American Court of Human Rights (*jus standi*) and its application in practice,” including its financial and budgetary implications, taking into account the need to maintain procedural equity and to redefine the role of the Commission in proceedings before the Court;
 - b. Continue to consider means of encouraging compliance by member states with the judgments of the Court; and
 - c. Continue analyzing ways to achieve an effective increase of the financial resources allocated to the Inter-American Court of Human Rights in the program-budget of the Organization. To that end, thank the Secretary General of the Organization for his work and urge him to continue his efforts and present additional proposals for achieving adequate funding for the Inter-American Court of Human Rights in the program-budget of the Organization.

7. To thank the member states (Colombia, Costa Rica, and Mexico) and permanent observers (Norway and Spain) and the Office of the United Nations High Commissioner for Refugees (UNHCR), which have made voluntary contributions to the Inter-American Court of Human Rights. In addition, to urge member states to contribute to the Specific Fund for Strengthening the Inter-American System for the Protection and Promotion of Human Rights; and to encourage permanent observers and other donors in accordance with Article 74 of the General Standards to Govern the Operations of the General Secretariat to make voluntary contributions to the Inter-American Court of Human Rights.

8. To encourage member states to continue to invite the Inter-American Court of Human Rights to hold special sessions away from its headquarters.

9. To urge the Inter-American Court of Human Rights, the Inter-American Commission on Human Rights, and the Inter-American Institute of Human Rights to continue to hold specialized seminars on the inter-American system for the promotion and protection of human rights for government officials.

10. To support the initiative of the Inter-American Court of Human Rights to hold a seminar on the present and future challenges to the inter-American human rights system.

11. To invite the Inter-American Court of Human Rights to continue to participate, with its judges, in the dialogue with member states in the reflection process on strengthening the inter-American human rights system, within the context of the Committee on Juridical and Political Affairs.

12. Also to invite the Inter-American Court to bear in mind the proposals and comments issued by the member states in the framework of the dialogue, between the member states and the members of the IACHR and the Court, on the functioning of the inter-American human rights system, on April 4, 2008, as well as the contributions by civil society, as set out in the report of that meeting (CP/CAJP-2644/08), and to adopt the measures it deems appropriate in the framework of its autonomy and independence.

13. To thank the Court for its willingness to dialogue with member states as part of the joint reflection process in the event of possible reforms to its Rules of Procedure.

14. To urge member states to consider the signature and ratification of, ratification of, or accession to, as the case may be, the American Convention on Human Rights and other instruments of the system, including acceptance of the binding jurisdiction of the Inter-American Court of Human Rights.

15. To request the Permanent Council to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2409 (XXXVIII-O/08)

OBSERVATIONS AND RECOMMENDATIONS ON THE ANNUAL REPORT
OF THE INTER-AMERICAN COMMISSION ON HUMAN RIGHTS

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

HAVING SEEN the observations and recommendations of the member states on the Annual Report of the Inter-American Commission on Human Rights (CP/CAJP-2629/08);

HIGHLIGHTING that 2009 marks the 40th anniversary of the adoption of the American Convention on Human Rights and the 50th anniversary of the establishment of the Inter-American Commission on Human Rights;

CONSIDERING:

That, in the Charter of the Organization of American States (OAS), the member states have proclaimed, as one of their principles, respect for the fundamental rights of the individual without distinction as to race, nationality, creed, or sex;

That, under the Charter of the Organization of American States and the American Convention on Human Rights, the principal function of the Inter-American Commission on Human Rights (IACHR) is to promote the observance and protection of human rights; and

That in the Declaration and the Plan of Action of the Fourth Summit of the Americas, held in Mar del Plata, Argentina, the Heads of State and Government recognized that the promotion and protection of human rights on the basis of the principles of universality, indivisibility, and interdependence, are essential to the functioning of democratic societies, as well as the need to continue the process of strengthening and enhancing the effectiveness of the inter-American human rights system to achieve, among other objectives, greater accession to the legal instruments, effective observance of the decisions of the Inter-American Court of Human Rights, and due consideration of the recommendations of the Inter-American Commission on Human Rights;

THANKING the Government of Paraguay for the invitation it extended to the IACHR to hold its 129th special session in Asunción, from September 5 to 7, 2007, as a means of promoting the inter-American human rights system;

THANKING ALSO the Governments of Argentina, Brazil, Costa Rica, Ecuador, Guatemala, Honduras, Mexico, Paraguay, Peru, and Uruguay, which have extended open and permanent invitations to the IACHR to visit those countries; and

THANKING FURTHER the Government of Argentina for its invitation to the IACHR to hold a special session in that country in 2009, on the occasion of the 30th anniversary of the Commission's on-site visit to Argentina, the 40th anniversary of the adoption of the American Convention on Human Rights, and the 50th anniversary of the establishment of the IACHR,

RESOLVES:

1. To adopt the observations and recommendations of the member states on the Annual Report of the Inter-American Commission on Human Rights (CP/CAJP-2629/08); and to forward them to that organ.

2. To reaffirm the essential value of the work carried out by the Inter-American Commission on Human Rights (IACHR) to enhance the promotion and protection of human rights and to reinforce the rule of law in the Hemisphere.

3. To encourage member states to:

- a. Consider signing and ratifying, ratifying, or acceding to, as the case may be, all legal instruments of the inter-American human rights system;
- b. Follow up on the recommendations of the IACHR, including, *inter alia*, precautionary measures; and
- c. Continue to take appropriate action in connection with the annual reports of the IACHR, in the context of the Permanent Council and the General Assembly.

4. To note with satisfaction the decisions taken by governments of member states that have invited the IACHR to visit their respective countries; and to encourage all member states to continue this practice and to consider the requests made by the IACHR to that end.

5. To encourage member states to continue inviting the IACHR to hold special sessions away from its headquarters.

6. To urge the Inter-American Commission on Human Rights, the Inter-American Court of Human Rights, and the Inter-American Institute of Human Rights to continue to hold specialized seminars from time to time for government officials, on the inter-American system for the promotion and protection of human rights.

7. To reiterate the importance of the application of the friendly settlement mechanism among parties concerned, in accordance with the American Convention on Human Rights and the Statute and Rules of Procedure of the Inter-American Commission on Human Rights.

8. To take the following actions with regard to financing of the IACHR:

- a. Instruct the Permanent Council to continue analyzing ways to achieve an effective increase in the financial resources allocated to the IACHR in the program-budget of the Organization. To that end, thank the Secretary General for his work and urge him to continue his efforts and to present, prior to the thirty-ninth regular session of the General Assembly, additional proposals aimed at achieving adequate financing for the Commission in said program-budget;

- b. Thank member states, permanent observers, and institutions that have made voluntary contributions to the IACHR; and
 - c. Suggest to donors that, to the extent possible, part of the voluntary contributions that they make not be earmarked for specific purposes, to give the Commission flexibility in allocating resources among its various activities and projects.
9. To invite the IACHR to:
- a. Continue to take into account the observations and recommendations of the member states on its annual report and to adopt such measures as it considers pertinent based on those observations and recommendations;
 - b. Continue to publish on its Internet page, when member states so request, their observations and recommendations on its annual report to the General Assembly;
 - c. Continue to strengthen, pursuant to Article 15 of its Rules of Procedure, existing rapporteurships and operational units, in the most equitable manner possible, within the limits of its available resources and in accordance with the procedures in effect for designating special rapporteurs; and
 - d. Continue to participate, through the members of the Commission, in the dialogue with member states in the context of the Committee on Juridical and Political Affairs (CAJP), so as to follow up on the observations and comments of the states set forth in the reports on the meetings held on October 26, 2004 (CP/CAJP/SA.412/04 corr. 1 and CP/CAJP/INF.17/04), on March 9, 2006 (CP/CAJP-2311/05 add. 2 and 2-a), on March 30, 2007 (CP/CAJP-2526/07), and on April 4, 2008 (CP/CAJP-2644/08), in particular those on the criteria used when applying its principal mechanisms for the protection of human rights and when applying its Rules of Procedure to the individual case system; and likewise on the role of the IACHR in proceedings before the Inter-American Court of Human Rights.

10. Also to invite the IACHR to bear in mind the proposals and comments issued by the member states in the framework of the dialogue between the member states and the members of the IACHR and the Court on the functioning of the inter-American human rights system, on April 4, 2008, as well as the contributions by civil society, as set out in the report of that meeting (CP/CAJP-2644/08), and to adopt the measures it deems appropriate in the framework of its autonomy and independence.

11. To instruct the CAJP, with a view to implementing operative paragraph 9.d, to schedule meetings to continue its dialogue with the members of the IACHR.

12. To request the Permanent Council to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2410 (XXXVIII-O/08)

FOLLOW-UP ON THE INTER-AMERICAN CONVENTION AGAINST CORRUPTION AND
ON THE INTER-AMERICAN PROGRAM FOR COOPERATION
IN THE FIGHT AGAINST CORRUPTION

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.4820/08) with regard to this topic;

TAKING INTO ACCOUNT resolution AG/RES. 2275 (XXXVII-O/07);

CONSIDERING the importance of the Inter-American Convention against Corruption, the fact that it has been ratified by 33 member states of the Organization of American States (OAS), and that 28 of those states participate in the Follow-up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC);

BEARING IN MIND the mandates of the Summits of the Americas with respect to the fight against corruption, implementation of the Inter-American Convention against Corruption, and strengthening of its follow-up mechanism (MESICIC);

RECOGNIZING the work of the Committee of Experts of the MESICIC, which has been supported by the General Secretariat and will make it possible to conclude, in December 2008, the second round of review for the 28 states parties; and

UNDERSCORING the developments in the Inter-American Program for Cooperation in the Fight against Corruption (MESICIC/CEP-II/doc.5/06 rev. 2), approved at the Second Meeting of the Conference of States Parties to the MESICIC, in November 2006, and adopted by the General Assembly at its thirty-seventh regular session, in June 2007, noteworthy among which are continuity in the process of review by the member states of its Follow-up Mechanism (MESICIC) for implementation of the Inter-American Convention against Corruption, and the program of support for those states for implementation of the recommendations made to them by the Committee of Experts of that mechanism,

RESOLVES:

1. To urge those states parties to the Inter-American Convention against Corruption that have not yet done so to participate in the Follow-up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC); and to urge all states parties to the Mechanism to fund it through voluntary contributions.

2. Also to urge those member states of the Organization of American States (OAS) that have not yet done so to consider signing and ratifying, ratifying, or acceding to, as the case may be, the United Nations Convention against Corruption (Mérida Convention) and the United Nations Convention against Transnational Organized Crime (Palermo Convention).

3. To urge the states parties to the Inter-American Convention against Corruption to take any measures they deem necessary, within their own institutional systems, to adapt their domestic law in order to comply with the commitments they undertook upon ratification of or accession to the Convention.

4. To express once again its support for strengthening the MESICIC and, in that regard:

- a. To express its satisfaction with the progress made by the Committee of Experts of the MESICIC, with support from the General Secretariat, in the second round of review, reflected in the adoption of the reports of Argentina, Paraguay, Nicaragua, Uruguay, Ecuador, Honduras, Bolivia, Peru, Costa Rica, Venezuela, Mexico, Trinidad and Tobago, Colombia, Panama, Chile, El Salvador, the Dominican Republic, and The Bahamas, and in the forthcoming conclusion of the process of preparing and considering the reports of Canada, the United States, Guyana, Jamaica, Saint Vincent and the Grenadines, and Guatemala;
- b. To request the General Secretariat to continue identifying sources of funding within the OAS, such as the Regular Fund, and of external funding, such as international and regional financial institutions and national government agencies, among others, for the adequate funding of the MESICIC and, when applicable, for the full and effective implementation of its recommendations and of the activities of the countries at which such recommendations are directed;
- c. To invite the Conference of States Parties to the MESICIC to continue reporting to the Permanent Council on the implementation of concrete measures to strengthen the MESICIC, such as follow-up visits made in accordance with the provisions of Article 33 of the Rules of Procedure of the Committee of Experts of the MESICIC, as well as on other topics submitted to it for consideration;
- d. To request the General Secretariat to continue, through the Department of Legal Cooperation of the Secretariat for Legal Affairs, to provide technical secretariat services to the Conference of States Parties to the MESICIC and to the Committee of Experts of that mechanism; and
- e. To request the General Secretariat, through the Department of Legal Cooperation of the Secretariat for Legal Affairs and in accordance with the provisions of section I.2.g of the Inter-American Program for Cooperation in the Fight against Corruption, to design and implement a training program for members of the Committee of Experts of the MESICIC, aimed at the implementation of both the methodology of the mechanism and the

recommendations it has made regarding the provisions of the Inter-American Convention against Corruption.

5. To support the Third Meeting of the Conference of States Parties to the MESICIC, to be held in the second half of 2008, which, in accordance with Chapter VII of the Inter-American Program for Cooperation in the Fight against Corruption, will consider a strategy on how the MESICIC can carry out implementation of the various thematic areas covered by the United Nations Convention against Corruption, and the monitoring of the developments made in connection with them. Under the provisions of Chapter IX of the Inter-American Program for Cooperation in the Fight against Corruption and for purposes of its due follow-up, the Conference of States Parties to the MESICIC will forward to the General Assembly the strategy it adopts in this regard.

6. To establish that the preparations for the Third Meeting of the Conference of States Parties to the MESICIC, including those regarding its date, draft agenda, and draft calendar, will be made in accordance with the provisions of Articles 6 to 10 of the Rules of Procedure of the Conference of States Parties to the Mechanism for Follow-up on Implementation of the Inter-American Convention against Corruption (SG/MESICIC/doc.58/04 rev.7).

7. To request the General Secretariat to continue providing, through the Department of Legal Cooperation of the Secretariat for Legal Affairs and pursuant to Chapter VIII of the new text of the Inter-American Program for Cooperation in the Fight against Corruption, the technical support needed to implement that Program, and in particular the strategy referred to in operative paragraph 5, within the resources allocated in the program-budget of the Organization and other resources.

8. To encourage member states and other donors to consider contributing, in accordance with Article 74 of the General Standards to Govern the Operations of the General Secretariat, to the OAS specific fund "Inter-American Anti-Corruption Fund" to assist member states in implementing the Inter-American Convention against Corruption and the MESICIC country report recommendations.

9. To request the Permanent Council to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2411 (XXXVIII-O/08)

STRENGTHENING OF THE NATIONAL HUMAN RIGHTS SYSTEMS OF THE
MEMBER STATES AND SUPPORT FOR THE WORK OF DEFENDERS OF
THE PEOPLE, DEFENDERS OF THE POPULATION, AND HUMAN RIGHTS
ATTORNEYS OR COMMISSIONERS (OMBUDSMEN)

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

TAKING INTO ACCOUNT resolutions AG/RES. 2345 (XXXVII-O/07), AG/RES. 2221 (XXXVI-O/06), and AG/RES. 2132 (XXXV-O/05), “Strengthening of the National Human Rights Systems of the Member States and Support for the Work of Defenders of the People, Defenders of the Population, and Human Rights Attorneys or Commissioners (Ombudsmen),” whereby it recognized the importance of national systems for the promotion and protection of human rights in safeguarding the rights of the individual;

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.4820/08);

TAKING INTO ACCOUNT that in the Charter of the Organization of American States (OAS), the American Convention on Human Rights, and the American Declaration of the Rights and Duties of Man, the member states proclaimed the fundamental rights of the individual without distinction as to race, nationality, creed, sex, language, religion, political or other opinion, national or social origin, economic status, birth, or any other social condition;

REAFFIRMING that the member states recognize that all human rights are universal, indivisible, interdependent, and interrelated, and that all persons should be treated justly and equitably, on an equal footing, bearing in mind the progressive nature of economic, social, and cultural rights;

RECALLING that the World Conference on Human Rights reaffirmed the right to development, as established in the Declaration on the Right to Development, as a universal and inalienable right and an integral part of fundamental human rights. As stated in the Declaration on the Right to Development, the human person is the central subject of development. While development facilitates the enjoyment of all human rights, the lack of development may not be invoked to justify the abridgement of internationally recognized human rights. States should cooperate with each other in ensuring development and eliminating obstacles to development. The international community should promote an effective international cooperation for the realization of the right to development and the elimination of obstacles to development. Lasting progress towards the implementation of the right to development requires effective development policies at the national level, as well as equitable economic relations and a favorable economic environment at the international level;

TAKING INTO ACCOUNT that the fundamental objective of national systems for the promotion and protection of human rights is to safeguard the rights of the individual;

BEARING IN MIND the Principles relating to the Status of National Institutions, “Paris Principles,” adopted by the United Nations General Assembly in its resolution 48/134, of December 20, 1993;

REAFFIRMING the importance of the inter-American human rights system, whose organs have competence to promote the observance of human rights in all member states of the Organization, in accordance with the commitments undertaken by each state, and which operate in a manner subsidiary to national jurisdictional systems;

TAKING INTO ACCOUNT that all member states have the obligation to promote and protect human rights and fundamental freedoms, without distinguishing among the specific national and regional characteristics and the different historical, cultural, and religious backgrounds of all states, regardless of their political, economic, and cultural systems; and recognizing that democracy is a universal value and there is no single model of democracy;

AWARE that “[t]he effective exercise of representative democracy is the basis for the rule of law and of the constitutional regimes of the member states of the Organization of American States” and that one of the essential purposes of the OAS is “[t]o promote and consolidate representative democracy, with due respect for the principle of nonintervention”;

REAFFIRMING that the participatory nature of democracy in our countries in different aspects of public life contributes to the consolidation of democratic values and to freedom and solidarity in the Hemisphere;

RECALLING resolutions AG/RES. 1505 (XXVII-O/97), AG/RES. 1601 (XXVIII-O/98), and AG/RES. 1670 (XXIX-O/99), in which the General Assembly recognized the work of ombudsmen in the Hemisphere, a concept recognized in the law of member states with names such as defenders of the people, defenders of the population, human rights attorneys, and human rights commissioners;

RECALLING ALSO the message transmitted by the United Nations Commission on Human Rights through resolution 2005/74, “National Institutions for the Promotion and Protection of Human Rights,” which, in paragraph 12, “[w]elcomes the continuation of the practice of national institutions convening regional meetings” and encourages national institutions, in cooperation with the Office of the United Nations High Commissioner for Human Rights, “to continue to organize similar events with Governments and non-governmental organizations in their own regions”;

UNDERSCORING the work done by the Caribbean Ombudsmen’s Association, the Network of National Human Rights Institutions of the Americas, the Andean Council of Ombudsmen, the Central American Ombudsman Council, and the Ibero-American Federation of Ombudsmen;

RECALLING the exhortation contained in the aforementioned resolutions that member states of the inter-American system adopt measures to ensure that the defenders of the people, defenders of the population, human rights attorneys, and human rights commissioners enjoy political, administrative, and financial independence; and

TAKING INTO CONSIDERATION the Plan of Action of the Third Summit of the Americas, adopted in Quebec City, as it pertains to strengthening the capacity of national institutions responsible for the promotion and protection of human rights,

RESOLVES:

1. To reaffirm the fundamental importance of national human rights systems for the promotion and protection of human rights in strengthening the rule of law and social justice for the consolidation of democracy.

2. To reiterate its support for the politically, administratively, and financially independent work of the ombudsmen or defenders of the people, defenders of the population, human rights attorneys, and human rights commissioners in the countries of the Hemisphere, in the promotion and protection of human rights.

3. To recommend to member states that do not yet have institutions of the kind to which this resolution refers that they consider the possibility of establishing and operating them within the framework of their legal systems.

4. To encourage the governments and organs of the inter-American system to promote the establishment of forums for dialogue between the institutions of the kind to which this resolution refers and the pertinent organs of the inter-American system, in order to strengthen their contribution to the democratic order in the Hemisphere.

5. To reaffirm the support of the Organization of American States for the work of the Caribbean Ombudsmen's Association, the Network of National Human Rights Institutions of the Americas, the Andean Council of Ombudsmen, the Central American Ombudsman Council, and the Ibero-American Federation of Ombudsmen.

6. To reiterate to the Committee on Juridical and Political Affairs of the Permanent Council that it consider inviting the institutions to which this resolution refers to participate in the dialogue to be held among member states on human rights issues, given that their presence is necessary.

7. To request the Permanent Council to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2412 (XXXVIII-O/08)

HUMAN RIGHTS DEFENDERS: SUPPORT FOR INDIVIDUALS, GROUPS, AND
ORGANIZATIONS OF CIVIL SOCIETY WORKING TO PROMOTE AND
PROTECT HUMAN RIGHTS IN THE AMERICAS

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc. 4820/08) as it pertains to this topic, and resolution AG/RES. 2280 (XXXVII-O/07), “Human Rights Defenders: Support for the Individuals, Groups, and Organizations of Civil Society Working to Promote and Protect Human Rights in the Americas”;

RECALLING the United Nations Declaration on the Rights and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms;

REITERATING that “[e]veryone has the right, individually and in association with others, to solicit, receive and utilize resources for the express purpose of promoting and protecting human rights and fundamental freedoms through peaceful means” in accordance with domestic law consistent with the Charter of the United Nations and other international obligations of the state in the field of human rights and fundamental freedoms;

CONCERNED that situations persist in the Americas that directly or indirectly prevent or hamper the work of individuals, groups, or organizations working to promote and protect human rights and fundamental freedoms;

GRAVELY CONCERNED that, in some instances, national security and counterterrorism legislation and other measures have been misused to incriminate human rights defenders or to hinder their work and safety in a manner contrary to international law;

BEARING IN MIND that, in resolution 60/161 of the United Nations General Assembly and resolution 2005/67 of the former Commission on Human Rights of that organization, the Member States of the United Nations noted “with deep concern that, in many countries, persons and organizations engaged in promoting and defending human rights and fundamental freedoms are facing threats, harassment and insecurity as a result of those activities”;

CONSIDERING that the member states of the Organization of American States (OAS) have demonstrated their full willingness to support the work carried out by human rights defenders and recognize their valuable contribution to the promotion, observance, and protection of human rights and fundamental freedoms in the Americas, and to the representation and defense of individuals, minorities, and other groups of persons whose rights are threatened or violated;

NOTING that the decisions of the Inter-American Court of Human Rights granting provisional measures, and the “Report on the Situation of Human Rights Defenders in the Americas,” prepared by the Inter-American Commission on Human Rights (IACHR), have highlighted the importance of the work of human rights defenders to the development of democracies in the Americas;

URGING the Unit for Human Rights Defenders of the IACHR to continue its work;

EMPHASIZING that everyone has duties toward and within the community, in which alone the free and full development of his or her personality is possible;

EMPHASIZING ALSO that the promotion and protection of human rights is legitimate work and that human rights defenders, in the exercise of their functions, contribute decisively to strengthening democratic institutions and improving national human rights systems; and

EMPHASIZING FURTHER the importance of the role of human rights defenders in promoting dialogue, openness, participation, and justice to contribute to the prevention of violence and promote sustainable peace and security, and the affirmation that, to be effective, international strategies in this area must pay special attention to protecting human rights defenders,

RESOLVES:

1. To reiterate its support for the work carried out, at both the national and regional levels, by human rights defenders; and to recognize their valuable contribution to the promotion, observance, and protection of human rights and fundamental freedoms in the Hemisphere.

2. To recognize that, in view of their gender-specific role and needs, women human rights defenders should be accorded special attention to ensure that they are fully protected and effective in carrying out their important activities.

3. To condemn actions intended to prevent or hamper, whether directly or indirectly, the work of human rights defenders in the Americas.

4. To encourage human rights defenders to continue their selfless work and their contributions to the enhancement of national human rights systems for the strengthening of democracy, in accordance with the principles contained in the United Nations Declaration on the Rights and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms.

5. To encourage member states to continue or begin, as the case may be, activities to educate and disseminate information to government officials, society at large, and the media, both public and private, so as to make them aware of the importance and validity of the work of human rights defenders and their organizations.

6. To urge member states to continue stepping up their efforts to adopt necessary measures to safeguard the lives, freedom, and personal safety of human rights defenders and their relatives, including effective emergency protection measures in the case of imminent threat or danger,

and to ensure that thorough and impartial investigations and proceedings are carried out, and appropriate punishments are applied, in all cases of violations against human rights defenders.

7. To request the Inter-American Commission on Human Rights (IACHR) to:
 - a. Continue to give due consideration to this matter;
 - b. Continue intensifying its dialogue and cooperation with the United Nations Special Representative of the Secretary-General on Human Rights Defenders; and
 - c. Include in its annual report a section on the work of the Unit for Human Rights Defenders of the IACHR.
8. To encourage member states to ensure that applicable national law—including registration where applicable under national law—concerning human rights defenders and their organizations allows their work to be carried out in a free, transparent, and open political environment and in a manner consistent with applicable international human rights and humanitarian law.
9. To invite member states to promote the dissemination and enforcement of the treaty and non-treaty instruments of the inter-American system and the decisions of its bodies on human rights matters, as well as the United Nations Declaration on the Rights and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms.
10. To invite member states to consider the preparation and implementation of national plans to apply the principles contained in the United Nations Declaration mentioned in the preceding paragraph, for which purpose they may also request the advisory services of the IACHR.
11. To invite member states to inform the Inter-American Commission on Human Rights of measures adopted to follow up on the recommendations contained in the “Report on the Situation of Human Rights Defenders in the Americas,” prepared in 2006 by the Unit for Human Rights Defenders of the IACHR.
12. To request the Permanent Council to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2413 (XXXVIII-O/08)

STRENGTHENING THE ACTIVITIES
OF THE JUSTICE STUDIES CENTER OF THE AMERICAS

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

HAVING SEEN the mandates assigned by the Third and the Fourth Summit of the Americas; resolution AG/RES. 1 (XXVI-E/99), which decided to establish the Justice Studies Center of the Americas (JSCA); resolution AG/RES. 2068 (XXXV-O/05), "Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas"; the Annual Report of the Permanent Council to the General Assembly (AG/doc.4548/06 add. 6), especially with respect to the implementation of resolution AG/RES. 2068 (XXXV-O/05); and resolutions AG/RES. 2228 (XXXVI-O/06), "Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas"; AG/RES. 2216 (XXXVI-O/06), "Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas: Strengthening the Activities of the Justice Studies Center of the Americas"; AG/RES. 2266 (XXXVII-O/07), "Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas: Support for the REMJA Process"; AG/RES. 2281 (XXXVII-O/07), "Strengthening the Activities of the Justice Studies Center of the Americas," and AG/RES. 2369 (XXXVIII-O/08), "Meetings of Ministers of Justice or Other Ministers or Attorneys General of the Americas";

CONSIDERING that the member states can continue examining the proposals presented by the Justice Studies Center of the Americas (JSCA) at each Meeting of Ministers of Justice or Other Ministers or Attorneys General of the Americas (REMJA);

BEARING IN MIND the funding plan presented by the JSCA to the Sixth Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas (REMJA-VI), held in Santo Domingo, Dominican Republic, in April 2006, which proposed a system of suggested voluntary contributions by member states to ensure coverage of the JSCA's basic costs;

APPRECIATING the voluntary contributions made by Belize, Canada, Chile, Mexico, and the United States;

NOTING that, as indicated in the aforementioned plan, the Center's basic costs for central administration and for services provided regionally through its Virtual Information Center and publications now amounts to US\$675,000 per year;

TAKING INTO ACCOUNT the Annual Report of the Center, presented to the Permanent Council on December 7, 2007, and the report presented to REMJA-VII on April 29, 2008, as well as the presentation made to the Committee on Juridical and Political Affairs on April 3, 2008 (CP/doc.4297/08), in the framework of the dialogue mandated in resolution AG/RES. 2266 (XXXVII-O/07), which reflect the specific activities undertaken by the JSCA in recent years to strengthen justice systems in the member states; and noting that the JSCA reported that it is working intensely to expand existing projects and develop new ones with multilateral agencies and financial institutions; and

RECALLING that Article 17 of the Center's Statute, adopted in 1999 by the General Assembly at its twenty-sixth special session, establishes that the JSCA and its activities may be funded with voluntary contributions from member states of the Organization, as well as with funds from other public and private sources,

RESOLVES:

1. To reiterate its appeal to member states to consider making voluntary contributions to the Justice Studies Center of the Americas (JSCA) to cover its basic costs.

2. To invite the permanent observers of the Organization to make voluntary contributions to the JSCA.

3. To request that the Permanent Council, through the Committee on Juridical and Political Affairs, continue including on its agenda a dialogue with the JSCA in which consideration is given to the best ways to expand cooperation between the member states and the Center, taking into account the conclusions and recommendations of the Meetings of Ministers of Justice or Other Ministers or Attorneys General of the Americas (REMJAs) in this regard.

4. To request the Permanent Council to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2414 (XXXVIII-O/08)

OBSERVATIONS AND RECOMMENDATIONS ON
THE ANNUAL REPORT OF THE INTER-AMERICAN JURIDICAL COMMITTEE

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

HAVING SEEN the observations and recommendations of the member states on the Annual Report of the Inter-American Juridical Committee (CP/CAJP-2616/08);

TAKING INTO ACCOUNT resolution AG/RES. 2265 (XXXVII-O/07), "Observations and Recommendations on the Annual Report of the Inter-American Juridical Committee"; and

CONSIDERING:

That Article 53 of the Charter of the Organization of American States (OAS) establishes the Inter-American Juridical Committee (CJI) as one of the organs of the Organization;

That Article 54.f of the OAS Charter provides that it is a function of the General Assembly to consider, *inter alia*, the observations and recommendations presented by the Permanent Council on the reports of the organs, agencies, and entities of the Organization, in accordance with Article 91.f of the Charter; and

That on March 27, 2008, the CJI presented its annual report to the Committee on Juridical and Political Affairs (CAJP) of the Permanent Council, and that the Permanent Council has forwarded its observations and recommendations thereon to the General Assembly,

RESOLVES:

1. To endorse the observations and recommendations of the member states on the Annual Report of the Inter-American Juridical Committee (CJI) and to forward them to the Juridical Committee.

2. To thank the CJI for including in its annual report resolution CJI/RES. 137 (LXXI-O/07), "The Scope of the Right to Identity," and the opinion adopted on the subject, contained in document CJI/doc.276/07 rev. 1, pursuant to the Permanent Council mandate of March 15, 2007; resolution CJI/RES. 125 (LXX-O/07), "Promotion of the International Criminal Court," and the report on the subject contained in document CJI/doc.256/07 rev. 1, pursuant to the General Assembly mandate contained in resolution AG/RES. 2176 (XXXVI-O/06); the updated, rev. 2 version, of document CJI/doc.25/00, "Right to Information: Access to and Protection of Information and Personal Data in Electronic Form," pursuant to resolution AG/RES. 2252 (XXXVI-O/06); and document CJI/doc.258/07, "Inter-American Juridical Committee Report on the 'Preliminary Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance,'" as a contribution to the work of the Working Group looking into this topic.

3. To thank the CJI for forwarding to the Permanent Council resolution CJI/RES. 139 (LXXII-O/08), "The Legal Status of Migrant Workers and Their Families in International Law," together with the document entitled "Primer or Manual on the Rights of Migrant Workers and Their Families" (CJI/doc.292/08); resolution CJI/RES. 140 (LXXII-O/08), "Promotion of the International Criminal Court," together with the "Report on Perspectives for a Model Law on State Cooperation with the International Criminal Court," (CJI/doc.290/08 rev. 1), and the "Guide to the General Principles and Agendas for the Cooperation of States with the International Criminal Court" (CJI/doc.293/08 rev. 1); and the document entitled "Status of the Consumer Protection Negotiations at the Seventh Inter-American Specialized Conference on Private International Law" (CJI/doc.288/08 rev. 1).

4. To request the CJI to include in its next annual report a proposal regarding principles and basic indicators on access to public information, whose preparation will include member state participation and contributions.

5. To request the CJI to continue preparing and to propose model legislation to support the efforts made to fulfill obligations under international humanitarian law treaties, based on priority issues worked out with the member states and the International Committee of the Red Cross. To that end, member states are urged to forward to the CJI, as soon as possible, a list of said priority issues, so that the CJI may comply with that mandate.

6. To underscore once again the importance of holding the Course on International Law, organized each year in Rio de Janeiro by the CJI and the Department of International Law of the Organization of American States (OAS); to highlight the importance of increasing the amount of OAS scholarship awards for that course; to urge member states to consider the possibility of paying directly for the participation of students and professors from their own countries; and to recognize the work of the Department of International Law in publishing the lectures given during that course.

7. To reaffirm the importance of the close ties maintained by the CJI with the political organs of the OAS, particularly the Permanent Council and its Committee on Juridical and Political Affairs; and to recommend to the CJI that it continue to focus its efforts on the matters which the competent organs identify as being of priority interest to the Organization.

8. To emphasize the need to provide increased administrative and budgetary support to the CJI, so that it may adequately address the current inter-American legal agenda and issue the corresponding recommendations, within the resources allocated in the program-budget of the Organization and other resources.

9. To request the Permanent Council to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2415 (XXXVIII-O/08)

PROTECTING HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS
WHILE COUNTERING TERRORISM

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

RECALLING resolutions AG/RES. 1840 (XXXII-O/02), AG/RES. 1906 (XXXII-O/02), AG/RES. 1931 (XXXIII-O/03), AG/RES. 2035 (XXXIV-O/04), AG/RES. 2143 (XXXV-O/05), AG/RES. 2238 (XXXVI-O/06), and AG/RES. 2271 (XXXVII-O/07), and the Report on Terrorism and Human Rights, prepared by the Inter-American Commission on Human Rights (OEA/Ser.L/V/II.116 – Doc.5 rev. 1);

REAFFIRMING the principles and purposes of the Charter of the Organization of American States (OAS) and the Charter of the United Nations;

EMPHASIZING that all persons are born free and are entitled to the human rights and fundamental freedoms recognized in the Universal Declaration of Human Rights, without distinction of any kind as to race, color, sex, language, religion, political or other opinion, national or social origin, economic status, birth, or other status, and that this applies in all circumstances, in accordance with international law;

REITERATING that all persons are equal before the law and have the rights and duties established in the American Declaration of the Rights and Duties of Man, without distinction as to race, sex, language, creed, or any other factor;

REAFFIRMING that states are under the obligation to protect all human rights and fundamental freedoms of all persons;

RECOGNIZING that respect for all human rights, respect for democracy, and respect for the rule of law are interrelated and mutually reinforcing;

CONSIDERING that terrorism poses a serious threat to the security, the institutions, and the democratic values of states and to the well-being of our peoples, and that it impairs the full enjoyment and exercise of human rights;

RECOGNIZING that the adoption of measures to ensure respect for human rights for all and the rule of law is one of the pillars of the Plan of Action of the United Nations Global Counter-Terrorism Strategy, adopted by consensus in 2006;

REAFFIRMING that acts, methods, and practices of terrorism in all its forms and manifestations are activities aimed at the destruction of human rights, fundamental freedoms, and democracy, threatening the territorial integrity and security of states and destabilizing legitimately constituted governments, and that the international community should take the necessary steps to enhance cooperation to prevent and combat terrorism;

REAFFIRMING ALSO its unequivocal condemnation of all acts, methods, and practices of terrorism in all its forms and manifestations, wherever and by whomsoever committed, regardless of their motivation, as criminal and unjustifiable; and renewing its commitment to strengthen international cooperation to prevent and combat terrorism;

TAKING INTO ACCOUNT:

That, in the “Declaration: Reaffirmation of the Hemispheric Commitment to Fighting Terrorism,” adopted in Washington, D.C., on March 7, 2008, the member states reaffirmed that terrorism in all its forms and manifestations, whatever its origin or motivation, has no justification whatsoever, affects the full enjoyment and exercise of human rights, and constitutes a grave threat to international peace and security, democratic institutions and values, and the stability and prosperity of the countries of the region;

That, in the Declaration on Security in the Americas, the states of the Hemisphere renewed their commitment, reiterated in the Declaration of San Carlos and the Declaration of Panama, to fight terrorism and its financing, with full respect for the rule of law and international law, including international humanitarian law, international human rights law, and international refugee law, the Inter-American Convention against Terrorism, and United Nations Security Council resolution 1373 (2001); and

That, in the Declaration of Mar del Plata of the Fourth Summit of the Americas and the Declaration of Nuevo León of the Special Summit of the Americas, the Heads of State and Government agreed to take all necessary steps to prevent and counter terrorism and its financing, in full compliance with their obligations under international law, including international human rights law, international refugee law, and international humanitarian law;

WELCOMING the fact that the Inter-American Convention against Terrorism entered into force on July 10, 2003, and that to date 23 countries have ratified it;

CONSIDERING the report of the Meeting of Government Experts to Exchange, from a Human Rights Perspective, Best Practices and National Experiences in Adopting Antiterrorism Measures, held on February 12 and 13, 2004 (CP/CAJP-2140/04);

HAVING RECEIVED the document entitled “Recommendations for the Protection of Human Rights by OAS Member States in the Fight against Terrorism” (CP/doc.4117/06), prepared by the Inter-American Commission on Human Rights (IACHR), which supplements the IACHR Report on Terrorism and Human Rights, of October 22, 2002 (OEA.Ser.L/V/II.116, Doc. 5 rev. 1);

REAFFIRMING:

That, in the fight against terrorism, any detained person presumed to be involved in a terrorist act will enjoy the rights and guarantees provided by applicable international law, in particular international human rights law and international humanitarian law;

That the means the state can use to protect its security or that of its citizens in the fight against terrorism should, under all circumstances, be consistent with applicable international law, in

particular international human rights law, international humanitarian law, and international refugee law; and

That terrorism cannot and should not be associated with any religion, nationality, civilization, or ethnic group;

RECALLING that, under Article 27 of the American Convention on Human Rights and Article 4 of the International Covenant on Civil and Political Rights, it is recognized that some rights are non-derogable under any circumstances, and that, with respect to rights that may be subject to derogation, states may take measures derogating from their obligations under these conventions to the extent and, with respect to the American Convention, for the period of time strictly required by the exigencies of the situation, provided that such measures are not inconsistent with the other rights and obligations prescribed under international law; and emphasizing that, in the inter-American system, the protection of non-derogable rights includes essential judicial guarantees for their protection; and

DEEPLY DEPLORING the occurrence of violations of human rights and fundamental freedoms in the context of the fight against terrorism, as well as violations of international refugee law and international humanitarian law,

RESOLVES:

1. To reaffirm that the fight against terrorism must be waged with full respect for the law, including compliance with due process, and for human rights, comprising civil, political, economic, social, and cultural rights, as well as for democratic institutions, so as to preserve the rule of law and democratic freedoms and values in the Hemisphere.

2. To reaffirm that all member states have a duty to ensure that all measures adopted to combat terrorism are in compliance with their obligations under international law, in particular international human rights law, international refugee law, and international humanitarian law.

3. To urge states, while countering terrorism, to fully comply with their obligations against cruel, inhuman, or degrading treatment or punishment, in particular the absolute prohibition of torture.

4. To call upon states to ensure that their laws criminalizing terrorist conduct and/or activities are accessible, formulated with precision, nondiscriminatory, non-retroactive, and in accordance with applicable international law, including human rights law, international humanitarian law, and international refugee law.

5. To urge states to fully respect non-refoulement obligations under international refugee and human rights law and, at the same time, to review, with full respect for these obligations and other legal safeguards, the validity of a refugee status decision in an individual case if credible and relevant evidence comes to light that indicates that the person in question has committed any criminal acts, including terrorist acts, falling under the exclusion clauses under international refugee law.

6. To urge states to respect the safeguards concerning the liberty, security, and dignity of the person and to treat prisoners in all places of detention in accordance with applicable international law, including human rights law and international humanitarian law.

7. To call upon all member states, with a view to fulfilling the commitments undertaken in this resolution, to consider signing and ratifying, ratifying, or acceding to, as the case may be and as soon as possible, the Inter-American Convention against Terrorism and the American Convention on Human Rights; and to urge the states parties to take appropriate steps to implement the provisions of those treaties.

8. To call upon member states to promote and apply at every level the United Nations Global Counter-Terrorism Strategy and its Plan of Action in order to move toward the common goal of eradicating the scourge of international terrorism, taking into account that one of its mainstays is ensuring respect for human rights while countering terrorism.

9. To request the Inter-American Commission on Human Rights (IACHR) to continue promoting respect for and the defense of human rights and facilitating efforts by member states to comply appropriately with their international human rights commitments when developing and executing counterterrorist measures, including the rights of persons who might be at a disadvantage, subject to discrimination, or at risk as a result of terrorist violence or counterterrorist initiatives, and to report to the Permanent Council on the advisability of conducting a follow-up study.

10. That, on the basis of the “Recommendations for the Protection of Human Rights by OAS Member States in the Fight against Terrorism,” prepared by the IACHR, and the results of consultations with the Inter-American Committee against Terrorism (CICTE) and the member states, the Permanent Council may consider preparing draft common terms of reference for the protection of human rights and fundamental freedoms in the fight against terrorism, which would compile current international standards and be based on applicable international law and on best practices, for consideration by the General Assembly.

11. To reiterate the importance of intensifying dialogue among CICTE, the IACHR, and other pertinent areas of the Organization, with a view to improving and strengthening their ongoing collaboration on the issue of protecting human rights and fundamental freedoms while countering terrorism.

12. To urge member states to respect, in accordance with their obligations, the human rights of all persons deprived of their liberty in high-security detention centers, particularly observance of due process.

13. To reaffirm that it is imperative that all states work to uphold and protect the dignity of individuals and their fundamental freedoms, as well as democratic practices and the rule of law, while countering terrorism.

14. To request the Permanent Council to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2416 (XXXVIII-O/08)

PERSONS WHO HAVE DISAPPEARED AND ASSISTANCE
TO MEMBERS OF THEIR FAMILIES

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

RECALLING resolution AG/RES. 2295 (XXXVII-O/07) and resolutions on this subject from prior years;

TAKING INTO ACCOUNT that the problem of missing persons and assistance to members of their families is addressed in international humanitarian law and international human rights law within their respective spheres of application, their legal frameworks being distinct;

DEEPLY CONCERNED over the suffering caused both by the disappearance of persons as a result of armed conflict or other situations of armed violence and by forced disappearances;

RECOGNIZING the need to alleviate the anxiety and uncertainty suffered by the relatives of persons who are presumed to have disappeared;

MINDFUL of the need to prevent the disappearance of persons, to ascertain the fate of those who have disappeared, and to respond to the needs of members of their families, both in situations of armed conflict or other situations of armed violence and in cases of forced disappearances;

GUIDED by the four Geneva Conventions of 1949 and the two Additional Protocols of 1977 thereto, the American Declaration of the Rights and Duties of Man of 1948, the American Convention on Human Rights of 1969, the Inter-American Convention on Forced Disappearance of Persons of 1994, the International Convention for the Protection of All Persons from Enforced Disappearance of 2006, and applicable international law;

TAKING INTO ACCOUNT resolution 59/189, "Missing persons," adopted by the United Nations General Assembly on December 20, 2004; resolution 2005/66, "Right to the Truth," adopted by the United Nations Commission on Human Rights on April 20, 2005; resolution 2005/26, "Human Rights and Forensic Science," adopted by the United Nations Commission on Human Rights on April 19, 2005; the Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law, adopted by the United Nations General Assembly on December 16, 2005; decision 2/105, "Right to the truth," adopted by the United Nations Human Rights Council in November 2006; resolution 61/155, "Missing persons," adopted by the United Nations General Assembly on December 19, 2006, and resolution 7/28, "Missing persons," adopted by the United Nations Human Rights Council on March 28, 2008; and

TAKING INTO ACCOUNT ALSO resolution 1 of the 30th International Conference of the Red Cross and Red Crescent, held in Geneva from November 26 to 30, 2007, which urged the members of that Conference to continue and intensify their efforts to address the problem of missing persons and their relatives,

RESOLVES:

1. To urge all parties involved in armed conflict and actors in other situations of armed violence to prevent the disappearance of persons, in accordance with applicable international law.
2. To encourage member states to continue moving forward in preventing the forced disappearance of persons by considering, where appropriate, the adoption of laws, regulations, and/or instructions requiring the establishment of official registries in which records will be kept of all detained persons, among other reasons to allow, as appropriate, family members, other interested persons, judicial authorities, and/or bodies that have a recognized mandate to protect detainees to learn, within a short period of time, of any detention that has taken place, all of the foregoing without interfering with appropriate communications between detainees and their families.
3. To urge member states to step up their efforts to shed light on the fate of persons who have disappeared and, to that end, to ensure that authorities and all mechanisms involved coordinate their work, cooperate among themselves, and complement one another's efforts.
4. To urge member states to maintain, in keeping with their legal and administrative organization, complete birth and death records, and also to establish registries to collect and centralize information on persons presumed to have disappeared.
5. To urge member states to ensure that disappearance cases are impartially investigated by the competent authorities, in accordance with their international obligations and domestic legislation, and that the families of persons presumed to have disappeared are systematically involved in the efforts to clarify what has happened to them.
6. To encourage member states to address as fully as possible the psychological, social, legal, and material needs of the families of presumed victims of disappearances through measures including, where appropriate, provision of periodic information to relatives on the efforts to cast light on the fate of the disappeared and on their whereabouts.
7. To encourage member states to consider enacting, as applicable, domestic laws that recognize the situation of the families of disappearance victims, taking into account the specific needs and particular interests of women heads of household and children, including the consequences of disappearances on property management, child custody, parental rights, and marital status, as well as devising adequate compensation programs.
8. To urge member states to ensure that human remains are treated with due respect and in accordance with national and international practices and standards and legal and ethical standards applicable to the collection, exhumation, and management of unidentified remains, in order to assemble all the information needed to identify them and to ascertain the facts that led to that situation.

9. To encourage member states to take appropriate measures to ensure that the collection, exhumation, and management of human remains and other related procedures are carried out by forensic experts, respecting, if applicable, traditional practices.

10. To urge member states to ensure that fully identified human remains are returned to families and that the respective death certificates are issued.

11. To urge member states to punish those found guilty of violating, in armed conflict and other situations of armed violence, provisions of international human rights law and/or international humanitarian law, within their respective spheres of application, that protect persons from disappearances, in particular, forced disappearances.

12. To urge member states to adopt necessary legislative and/or administrative measures to prevent the unlawful deprivation of freedom.

13. To urge member states to adopt necessary legislative and/or administrative measures to prevent the systematic and deliberate denial of information exchange among families; obstacles to the provision of information on the disappearance of victims, in particular regarding identification processes; the illicit withholding of accessible information on a death or its cause and the reasons for or circumstances of a death; the destruction of evidence likely to clarify the fate of a person presumed to be missing; and the pillaging, desecration, or mutilation of the deceased.

14. To urge member states to ensure adequate protection of the personal data gathered in connection with disappeared persons, in accordance with the law.

15. To urge member states to cooperate among themselves in addressing the various aspects of the problem of the disappearance of persons, including in the area of support for families, the search for missing persons, collection, exhumation, and identification of human remains, and mutual assistance in criminal proceedings.

16. To encourage member states to request support from international and civil society organizations to address the problem of the disappearance of persons.

17. To invite member states to continue their cooperation with the International Committee of the Red Cross, a recognized humanitarian institution, in its various areas of responsibility, and to facilitate its work.

18. To urge those member states that have not yet done so to consider signing and ratifying, ratifying, or acceding to, as the case may be, the Inter-American Convention on Forced Disappearance of Persons and the International Convention for the Protection of All Persons from Enforced Disappearance.

19. To urge states, as applicable, to endeavor to carry out the mandates set forth in this resolution on an ongoing basis.

20. To instruct the Permanent Council to follow up on this resolution.

AG/RES. 2417 (XXXVIII-O/08)

INTERNALLY DISPLACED PERSONS

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

RECALLING resolutions AG/RES. 1971 (XXXIII-O/03), “The Protection of Refugees, Returnees, and Stateless and Internally Displaced Persons in the Americas,” AG/RES. 774 (XV-O/85), AG/RES. 838 (XVI-O/86), AG/RES. 951 (XVIII-O/88), AG/RES. 1021 (XIX-O/89), AG/RES. 1039 (XX-O/90), AG/RES. 1040 (XX-O/90), AG/RES. 1103 (XXI-O/91), AG/RES. 1170 (XXII-O/92), AG/RES. 1214 (XXIII-O/93), AG/RES. 1273 (XXIV-O/94), AG/RES. 1336 (XXV-O/95), AG/RES. 1416 (XXVI-O/96), AG/RES. 1504 (XXVII-O/97), AG/RES. 1602 (XXVIII-O/98), AG/RES. 1892 (XXXII-O/02), AG/RES. 2055 (XXXIV-O/04), AG/RES. 2140 (XXXV-O/05), AG/RES. 2229 (XXXVI-O/06), and, especially, resolution AG/RES. 2277 (XXXVII-O/07), “Internally Displaced Persons”;

REITERATING the principles established in the Charter of the Organization of American States (OAS) and in the Inter-American Democratic Charter, especially those referred to in its Chapter III, “Democracy, Integral Development, and Combating Poverty”;

RECALLING the pertinent rules of international human rights, humanitarian, and refugee law; and recognizing that the protection of internally displaced persons has been reinforced by the definition and consolidation of specific protection standards, in particular the Guiding Principles on Internal Displacement, prepared by the Special Representative of the United Nations Secretary-General on Internally Displaced Persons;

RECALLING ALSO that, according to those guiding principles, internally displaced persons are “persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border”;

EMPHASIZING that the states have the primary responsibility to provide protection and assistance to internally displaced persons within their jurisdiction, as well as to address, as appropriate, the causes of the internal displacement problem and to do so, when so required, in cooperation with the international community;

NOTING that several countries in the Hemisphere are using the Guiding Principles on Internal Displacement and including them in the development of national policies and strategies;

TAKING INTO ACCOUNT that internal displacement affects a large number of persons, and that the needs of internally displaced persons, particularly with regard to protection and assistance, must be addressed immediately and comprehensively;

EMPHASIZING the importance of implementing effective policies for preventing and averting forced internal displacement and for protecting and assisting displaced persons during displacement and during return or resettlement and reintegration, including through the implementation of applicable international law; and

UNDERSCORING that to promote enhanced protection for internally displaced persons, comprehensive strategies and lasting solutions are needed which include, among other aspects, a free and informed decision by internally displaced persons as to whether to return to their place of origin, to integrate locally in the place to which they were displaced, or to resettle elsewhere in the country,

RESOLVES:

1. To urge member states to include, as appropriate, in their sectoral plans, policies, and programs, the special needs of internally displaced persons, especially in the preparation of programs to foster development and fight poverty.

2. To urge member states to consider using the Guiding Principles on Internal Displacement, prepared by the Special Representative of the United Nations Secretary-General on Internally Displaced Persons, as a basis for their plans, policies, and programs in support of such persons, and, in accordance with international law, in support of, *inter alia*, indigenous communities and communities of African descent, and the specific needs of children, women, the elderly, and persons with disabilities.

3. To urge member states to continue considering the implementation in their domestic law or in their policies regarding all stages of displacement the Guiding Principles on Internal Displacement, which reflect certain aspects of international human rights law and international humanitarian law.

4. In order to avert the internal displacement of persons, to encourage member states to address the factors that cause it and to establish preventive policies, such as early warning, bearing in mind that dialogue with all the actors involved is essential to the achievement of lasting solutions.

5. To call upon member states to comply with their obligations under applicable international humanitarian law, international human rights law, and refugee law in dealing with internally displaced persons, including in the possible prevention of internal displacement.

6. To urge member states, in keeping with their responsibility to internally displaced persons, based on comprehensive strategies and from a human rights perspective, to commit to providing them with protection and assistance during displacement, through competent national institutions; and to invite member states to commit to seeking lasting solutions, including the safe and voluntary return of internally displaced persons and their resettlement and reintegration, whether in their place of origin or in the receiving community.

7. To call upon states, in the care they provide to internally displaced persons in natural and man-made disasters, to protect their human rights through a comprehensive approach to disaster relief and reconstruction, consistent with international human rights law and domestic law, taking into account the Guiding Principles on Internal Displacement.

8. To urge states to work together by fostering the exchange of best practices for the effective protection of the human rights of internally displaced persons as well as in the development and implementation of public policy to prevent displacement.

9. To encourage member states, in dealing with internally displaced people, to consider the Framework for Durable Solutions for internal displacement and the Operational Guidelines on Human Rights and Natural Disasters, prepared by the Special Representative of the United Nations Secretary-General on Internally Displaced Persons.

10. To appeal to the appropriate agencies of the United Nations and the inter-American system, and to other humanitarian organizations and the international community, to provide support and/or assistance, as requested by states, in addressing the various factors that cause internal displacement and in assisting persons affected by internal displacement at all stages, where account should be taken of the Guiding Principles on strengthening of the coordination of humanitarian emergency assistance (United Nations General Assembly resolution 46/182).

11. To instruct the Permanent Council to follow up on this resolution as it sees fit.

AG/RES. 2418 (XXXVIII-O/08)

ACCESS TO PUBLIC INFORMATION: STRENGTHENING DEMOCRACY^{1/}

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.4820/08), on the status of implementation of resolution AG/RES. 2288 (XXXVII-O/07), “Access to Public Information: Strengthening Democracy”;

CONSIDERING that Article 13 of the American Convention on Human Rights provides that “[e]veryone has the right to freedom of thought and expression. This right includes freedom to seek, receive, and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing, in print, in the form of art, or through any other medium of one’s choice”;

CONSIDERING ALSO that Article 19 of the Universal Declaration of Human Rights includes the right “to seek, receive and impart information and ideas through any media and regardless of frontiers”;

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1. The Bolivarian Republic of Venezuela reaffirms the statement made in the footnote to resolution AG/RES. 2288 (XXXVII-O/07) as we consider that access to public information held by the state should be fully consistent with Article 13 of the American Convention on Human Rights, which establishes that “[e]veryone has the right to freedom of thought and expression. This right includes freedom to seek, receive, and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing, in print, in the form of art, or through any other medium of one’s choice.” Venezuela maintains that a democratic system for access to public information should allow all citizens, without exception, to seek, receive, and impart information. A citizen seeking information is consciously and fully exercising the right to access to information, and the state must promote the adoption of legal provisions guaranteeing the exercise thereof. Likewise, on the basis of the principle of equality before the law, the state must guarantee the same right to the poor, the underprivileged, and the socially disadvantaged. Accordingly, it is necessary “[t]o instruct the Inter-American Commission on Human Rights to conduct a study on how the state can guarantee all citizens the right to receive public information, on the basis of the principle of the transparency of information, when it is disseminated through the mass media, in the full exercise of the right to freedom of expression and as an effective means of participation.” Along those lines, we underscore the important conclusions and reflections of the special meeting on the right to public information, held on April 28, 2006, within the framework of the OAS, in which it was recognized that the media were responsible for ensuring that citizens receive, without distortions of any type, information provided by the state. Venezuela regrets that a response to the message of the poor has once again been postponed. We share the view of those who claim that refusing to grant the poor and the disadvantaged access to information condemns them to continued social and economic ostracism. Venezuela therefore once again urges the Inter-American Commission on Human Rights to take the initiative and, under the powers granted to it in the Inter-American Convention on Human Rights, to conduct the aforementioned study and report on the results thereof to the General Assembly of the Organization of American States at its next regular session.

RECALLING that the Plan of Action of the Third Summit of the Americas, held in Quebec City in 2001, indicates that governments will ensure that national legislation is applied equitably to all, respecting freedom of expression and access to public information by all citizens;

EMPHASIZING that Article 4 of the Inter-American Democratic Charter states that transparency in government activities, probity, responsible public administration on the part of governments, respect for social rights, and freedom of expression and of the press are essential components of the exercise of democracy;

NOTING that, in the Declaration of Nuevo León, the Heads of State and Government affirmed that access to information held by the state, subject to constitutional and legal norms, including those on privacy and confidentiality, is an indispensable condition for citizen participation and promotes effective respect for human rights, and that, in that connection, they are committed to providing the legal and regulatory framework and the structures and conditions required to guarantee the right of access to public information;

CONSIDERING that the General Secretariat has been providing support to member state governments in dealing with the topic of access to public information;

NOTING the work accomplished by the Inter-American Juridical Committee (CJI) on this issue, in particular resolution CJI/RES. 123 (LXX-O/07), "Right to Information," attached to which is the report entitled "Right to Information: Access to and Protection of Information and Personal Data in Electronic Form" (CJI/doc.25/00 rev. 2);

RECOGNIZING that the goal of achieving an informed citizenry must be rendered compatible with other societal aims, such as safeguarding national security, public order, and protection of personal privacy, pursuant to laws passed to that effect;

RECOGNIZING ALSO that democracy is strengthened through full respect for freedom of expression, access to public information, and the free dissemination of ideas, and that all sectors of society, including the media, through the public information they disseminate to citizens, may contribute to a climate of tolerance of all views, foster a culture of peace, and strengthen democratic governance;

TAKING INTO ACCOUNT the important role civil society can play in promoting broad access to public information;

TAKING NOTE of the Declaration of Principles on Freedom of Expression of the Inter-American Commission on Human Rights (IACHR); and of the Joint Declaration by the UN Special Rapporteur on Freedom of Opinion and Expression, the OSCE (Organization for Security and Cooperation in Europe) Representative on Freedom of the Media, the Special Rapporteur on Freedom of Expression of the Inter-American Commission on Human Rights, and the ACHPR (African Commission on Human and Peoples' Rights) Special Rapporteur on Freedom of Expression, adopted in 2006;

TAKING NOTE ALSO of the reports of the IACHR Special Rapporteur on Freedom of Expression on the situation of access to information in the Hemisphere for 2003, 2004, 2005, 2006, and 2007;

TAKING NOTE FURTHER of the report on the special meeting of the Committee on Juridical and Political Affairs (CAJP) to promote, impart, and exchange experiences and knowledge with respect to access to public information and its relationship with citizen participation, which received input from experts from the states and civil society representatives, held at the headquarters of the Organization of American States (OAS) on April 28, 2006 (CP/CAJP-2320/06 add. 2); and of the report of the Special Meeting on Freedom of Thought and Expression, held on February 28 and 29, 2008, which highlighted recent inter-American jurisprudence on access to public information;

RECALLING initiatives taken by civil society regarding access to public information, in particular, the Declaration of Chapultepec, the Johannesburg Principles, the Lima Principles, and the Declaration of the SOCIUS Peru 2003: Access to Information, as well as the outcomes of the Regional Forum on Access to Public Information, of January 2004; the Atlanta Declaration and Plan of Action for the Advancement of the Right of Access to Information, sponsored by the Carter Center, which addresses ways of advancing the implementation and exercise of the right of access to information, and of the International Seminar on Press, Litigation, and the Right to Public Information, held in Lima, Peru, on November 28, 2007;

RECALLING ALSO that the media, the private sector, and political parties can likewise play an important role in facilitating access by citizens to information held by the state;

TAKING INTO ACCOUNT the Report on the Questionnaire regarding Legislation and Best Practices on Access to Public Information (CP/CAJP-2608/08), which is a contribution to the study of best practices concerning access to public information in the Hemisphere; and

WELCOMING WITH INTEREST the study "Recommendations on Access to Information," submitted to the CAJP on April 24, 2008 (CP/CAJP-2599/08), a study organized by the Department of International Law pursuant to resolution AG/RES. 2288 (XXXVII-O/07), "Access to Public Information: Strengthening Democracy,"

RESOLVES:

1. To reaffirm that everyone has the freedom to seek, receive, access, and impart information and that access to public information is a requisite for the very exercise of democracy.

2. To urge member states to respect and promote respect for everyone's access to public information and to promote the adoption of any necessary legislative or other types of provisions to ensure its recognition and effective application.

3. To encourage member states, in keeping with the commitment made in the Declaration of Nuevo León and with due respect for constitutional and legal provisions, to prepare and/or adjust their respective legal and regulatory frameworks, as appropriate, so as to provide the citizenry with broad access to public information.

4. Also to encourage member states, when preparing or adjusting their respective legal and regulatory frameworks, as appropriate, to provide civil society with the opportunity to participate in that process; and to urge them, when drafting or adjusting their national legislation, to take into account clear and transparent exception criteria.

5. To encourage member states to take the necessary measures, through their national legislation and other appropriate means, to make public information available electronically or by any other means that will allow ready access to it.

6. To encourage civil society organizations to make information related to their work available to the public.

7. To encourage states to consider, when they are designing, executing, and evaluating their regulations and policies on access to public information, where applicable, with the support of the appropriate organs, agencies, and entities of the Organization, implementing the recommendations on access to public information contained in the study organized by the Department of International Law and submitted to the Committee on Juridical and Political Affairs (CAJP) on April 24, 2008.

8. To instruct the Permanent Council, in the framework of the Committee on Juridical and Political Affairs, to:

- a. Convene in the second half of 2008 a special meeting with the participation of the member states, the General Secretariat, and representatives of civil society to examine the possibility of preparing an Inter-American Program on Access to Public Information, bearing in mind the recommendations contained in the aforementioned study;
- b. Update the Report on the Questionnaire regarding Legislation and Best Practices on Access to Public Information (CP/CAJP-2599/08), requesting to that end contributions by member states, the Special Rapporteurship for Freedom of Expression of the Inter-American Commission on Human Rights (IACHR), the Inter-American Juridical Committee, the Department of International Law, the Department of State Modernization and Good Governance of the Secretariat for Political Affairs, interested entities and organizations, and civil society representatives; and
- c. Include in the study mentioned in the preceding subparagraph the right of all citizens to seek, receive, and disseminate public information.

9. To instruct the Department of State Modernization and Good Governance of the Secretariat for Political Affairs, and to invite the Special Rapporteurship for Freedom of Expression of the IACHR, to support the efforts of member states that request such support in the design, execution, and evaluation of their regulations and policies with respect to access by citizens to public information.

10. To instruct the Department of International Law to prepare a study with recommendations on the protection of personal data, using as a basis the contributions of member states, the organs of the inter-American system and of civil society, and the preparatory work done during the special meeting of the CAJP on that subject.

11. To instruct the Special Rapporteurship for Freedom of Expression of the IACHR to continue to include in the Commission's Annual Report a report on the situation regarding access to public information in the region.

12. To instruct the Inter-American Agency for Cooperation and Development (IACD) to identify new resources to support member states' efforts to facilitate access to public information.

13. To request the Permanent Council to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2419 (XXXVIII-O/08)

SUPPORT FOR ENHANCED INTERREGIONAL COOPERATION
WITH THE AFRICAN UNION

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

AWARE of the historical bonds and shared experiences which tie together the American and African continents, the fundamental contributions of persons of African descent and their communities in the Americas, and the importance of recognizing and preserving that heritage;

COMMITTED, through regional and interregional cooperation, to support states in their efforts to strengthen democratic institutions, values, practices, and governance, to fight corruption, to enhance the rule of law, to bring about the full exercise of human rights, and to reduce poverty, hunger, inequity, and social exclusion;

TAKING INTO ACCOUNT the presentations made during the special meeting of the Permanent Council on December 11, 2002, regarding Western Hemisphere-Africa cooperation, resolution 1631 (2005) of the United Nations Security Council, "Cooperation between the United Nations and regional organizations in maintaining international peace and security," and resolution AG/RES. 2016 (XXXIV-0/04), "Cooperation between the Organization of American States and the United Nations System, the General Secretariat of the Central Integration System, and the General Secretariat of the Caribbean Community";

BEARING MIND that, in recognition of racial discrimination against persons of African descent in the Americas, in February 2005 the Inter-American Commission on Human Rights (IACHR) established a Special Rapporteurship on the Rights of Persons of African Descent and against Racial Discrimination;

NOTING the progress achieved by the Working Group to Prepare a Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance;

RECALLING the commitments of the inter-American and African systems to the regional promotion and protection of human rights, as reflected in instruments such as the African Charter on Human and Peoples' Rights, the American Declaration of the Rights and Duties of Man, and the American Convention on Human Rights;

RECOGNIZING that democracy, transparent, responsible, accountable, and participatory governance responsive to the needs and aspirations of the people, and respect for human rights, fundamental freedoms, and the rule of law are essential for the effective prevention and elimination of racism, racial discrimination, xenophobia, and related intolerance;

CONSIDERING that countries of Africa and the Americas, in the framework of bilateral and multilateral forums, have committed themselves to encourage regional and interregional initiatives to promote democracy, human rights, and the rule of law, and to exchange experiences with other

regional organizations, including the African Union, in matters of strengthening democracy at regional and interregional levels through the Organization of American States (OAS);

AWARE that the 2003 Declaration of Mexico [CIDI/RME/DEC. 4 (III-O/03)], adopted by the Ministers of Education of the Hemisphere, recognized the importance of raising cultural awareness and promoting democratic values in present and future generations, especially in education, as a key means of alleviating poverty and fostering greater understanding among peoples; and that the 2008 Declaration of African Union Ministers in Charge of Youth recognized the “role of the African youth in the Diaspora” and the “urgent need to promote African Youth and to enhance youth involvement in the African development agenda”;

RECOGNIZING the value of collaborative sharing of experiences and best practices for the deepening and implementation of the Inter-American Democratic Charter and the African Charter on Democracy, Elections, and Governance (ACDEG), adopted on January 30, 2007;

RECALLING that both the Inter-American Democratic Charter, in Chapter VI, and the African Charter on Democracy, Elections, and Governance, in Chapter 5, affirm the importance of civil society organizations and civic education for the strengthening of democratic culture;

RECALLING ALSO that the Inter-American Democratic Charter, in Chapter III (Democracy, Integral Development and Combating Poverty), Articles 11 and 12, recognizes that democracy and social and economic development are interdependent, and that “[p]overty, illiteracy, and low levels of human development are factors that adversely affect the consolidation of democracy”;

CONSIDERING that in July 2007 the African Union established a diplomatic representational mission in Washington, D.C., and that, beginning in 2002, the African Union has collaborated with the Western Hemisphere African Diaspora Network to engage with the Diaspora community and persons of African descent;

NOTING WITH SATISFACTION the July 10 to 12, 2007, forum entitled “Democracy Bridge: Multilateral Regional Efforts for the Promotion and Defense of Democracy in Africa and America,” which included the participation of senior officials from the African Union and the OAS;

RECALLING that the World Conference on Human Rights reaffirmed the right to development, as established in the Declaration on the Right to Development, as a universal and inalienable right and an integral part of fundamental human rights. As stated in the Declaration on the Right to Development, the human person is the central subject of development. While development facilitates the enjoyment of all human rights, the lack of development may not be invoked to justify the abridgement of internationally recognized human rights. States should cooperate with each other in ensuring development and eliminating obstacles to development. The international community should promote an effective international cooperation for the realization of the right to development and the elimination of obstacles to development. Lasting progress towards the implementation of the right to development requires effective development policies at the national level, as well as equitable economic relations and a favorable economic environment at the international level;

REAFFIRMING that democracy is a universal value based on the freely expressed will of people to determine their own political, economic, social, and cultural systems and their full participation in all aspects of their lives and that, while democracies share common features, there is no single model of democracy;

AWARE that “[t]he effective exercise of representative democracy is the basis for the rule of law and of the constitutional regimes of the member states of the Organization of American States” and that one of the essential purposes of the OAS is “[t]o promote and consolidate representative democracy, with due respect for the principle of nonintervention”; and

REAFFIRMING that the participatory nature of democracy in our countries in different aspects of public life contributes to the consolidation of democratic values and to freedom and solidarity in the Hemisphere,

RESOLVES:

1. To improve cooperation between the Organization of American States (OAS) and regional organizations; to encourage the adoption of regional democracy charters and cooperative initiatives and, where these exist, to support their implementation; and to strengthen the capacities of regional organizations through the sharing of best practices, keeping in mind existing bilateral and multilateral cooperation.

2. To express support for deepened cooperation between the African Union and the OAS and, in particular:

a. To express support for the “Declaration of Intent” signed on July 10, 2007, between the General Secretariat of the Organization and the African Union Commission (AUC), which calls for future cooperation between the AUC and the General Secretariat of the OAS on areas of common interest to “include *inter alia* democracy promotion”; and

b. To urge member states, permanent observers, and other international organizations to strengthen their support for ongoing engagement between the two organizations, such as the sharing of best practices.

3. To request the General Secretariat, in consultation with the AUC, to develop a framework document guiding interorganizational cooperation in areas of mutual interest, to include *inter alia* democracy promotion, the promotion and protection of human rights, and cooperation for economic and social development, for consideration by the Permanent Council. This framework might include, for example, the exchange of lessons learned and best practices in the area of democracy promotion and human rights, as well as measures to fight hunger and poverty and promote social inclusion.

4. To encourage the Secretary General to prepare a report for presentation to the Permanent Council noting best practices and challenges for enhanced interregional cooperation.

5. To instruct the Permanent Council to convene a second special meeting on cooperation between the Americas and Africa, with the participation of the African diplomatic corps and representatives of the AUC, during the second half of 2008.

6. To request the Permanent Council and the General Secretariat to carry out the activities mentioned in this resolution in accordance with the resources allocated in the program-budget of the Organization and other resources.

7. To request the Permanent Council to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

8. To request the Secretary General to forward this resolution to the Chairperson of the AUC, the Secretary General of the Caribbean Community (CARICOM), the Presidency Pro Tempore of MERCOSUR, the Secretary General of the Andean Community of Nations (CAN), and the United Nations Secretary-General. To consider sending it as well to the Chair of the Community of Democracies Convening Group.

AG/RES. 2420 (XXXVIII-O/08)

VOLUNTARY CONTRIBUTIONS FOR THE
OPERATIONS OF THE OLIVER JACKMAN FUND
TO FINANCE THE INTER-AMERICAN HUMAN RIGHTS SYSTEM

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

HAVING SEEN:

Resolution AG/RES. 2329 (XXXVII-O/07), “Establishment of the Oliver Jackman Voluntary Capital Fund to Finance the Inter-American Human Rights System”;

Resolution CP/RES. 924 (1623/07), “Regulations for the Operations of the Oliver Jackman Voluntary Capital Fund to Finance the Inter-American Human Rights System”;

Resolutions AG/RES. 2075 (XXXV-O/05) and AG/RES. 2220 (XXXVI-O/06), “Strengthening of Human Rights Systems pursuant to the Mandates Arising from the Fourth Summit of the Americas”; and

Resolutions AG/RES. 2128 (XXXV-O/05), AG/RES. 2227 (XXXVI-O/06), and AG/RES. 2290 (XXXVII-O/07), “Observations and Recommendations on the Annual Report of the Inter-American Commission on Human Rights,” and AG/RES. 1918 (XXXIII-O/03), AG/RES. 2223 (XXXVI-O/06), and AG/RES. 2292 (XXXVII-O/07), “Observations and Recommendations on the Annual Report of the Inter-American Court of Human Rights”;

BEARING IN MIND that the Inter-American Democratic Charter states that the member states reaffirm their intention to strengthen the inter-American system for the protection of human rights for the consolidation of democracy in the Hemisphere;

RECALLING that, at the Third Summit of the Americas, held in Quebec City, in 2001, the Heads of State and Government of the Hemisphere mandated the General Assembly at its thirty-first regular session “to consider an adequate increase in resources for the activities of the Commission and the Court in order to improve human rights mechanisms and to promote the observance of the recommendations of the Commission and compliance with the judgments of the Court”; and pledged to continue promoting concrete measures to strengthen and improve the inter-American human rights system, in particular the functioning of the Inter-American Court of Human Rights and the Inter-American Commission on Human Rights (IACHR), focusing, *inter alia*, on substantially increasing the resources allocated to maintain ongoing operations, including the encouragement of voluntary contributions, and on examining the possibility that the Court and the IACHR will function permanently; and

CONSIDERING:

That the inter-American human rights system has been recognized universally for its work to develop jurisprudence for the protection of human rights, for its efficacy in promoting and protecting human rights in the Hemisphere, and for its contribution to strengthening national human rights systems and the rule of law;

That the system's achievements in the promotion of human rights have prompted a significant increase in users and that, therefore, its ability to respond can be jeopardized if its funding is not adjusted to its needs;

That in the search for substantive solutions to ensure the proper functioning and sustainability of the system, the Oliver Jackman voluntary capital specific fund was established for the purpose of financing, with the income produced by capital contributions, the operations of the Inter-American Court of Human Rights and the Inter-American Commission on Human Rights; and

That it is necessary to explore alternatives for the Fund's operations, thereby ensuring its viability and effectiveness,

RESOLVES:

1. To recognize the efforts of the Secretary General to raise specific funds to strengthen the human rights system.
2. To urge the member states to make voluntary contributions to enable the Oliver Jackman Fund to begin to operate, as a sign of their commitment to democracy, development, and human rights in the Hemisphere.
3. To instruct the Secretary General, as part of his efforts to raise external resources to launch, prior to December 2008, through the Secretariat for External Relations, a specific fundraising campaign to strengthen the Oliver Jackman Fund.

AG/RES. 2421 (XXXVIII-O/08)

STRENGTHENING THE ROLE OF NATIONAL INSTITUTIONS FOR THE PROMOTION AND PROTECTION OF HUMAN RIGHTS IN THE ORGANIZATION OF AMERICAN STATES

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

RECALLING the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights (A/CONF.157/23), which reaffirmed the important and constructive role played by national institutions for the promotion and protection of human rights;

RECALLING ALSO resolution 2005/74 of the United Nations Commission on Human Rights, "National institutions for the promotion and protection of human rights," as well as the Report of the United Nations Secretary-General on national institutions for the promotion and protection of human rights, presented to the United Nations Human Rights Council at its seventh session (A/HRC/7/69);

RECALLING FURTHER resolution AG/RES. 2345 (XXXVII-O/07), in which the General Assembly encouraged "the governments and organs to promote the establishment of forums for dialogue between the institutions of the kind to which this resolution refers and the pertinent organs of the inter-American system, in order to strengthen their contribution to the democratic order in the Hemisphere";

WELCOMING the decisions of a growing number of states to establish national institutions for the promotion and protection of human rights in accordance with the Principles relating to the status of national institutions for the promotion and protection of human rights, "Paris Principles," adopted by the United Nations General Assembly in resolution 48/134;

CONVINCED of the important role of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC) in assessing conformity with the Paris Principles;

RECALLING the commitment made by member states in the Plan of Action of the Third Summit of the Americas, held in Quebec City in 2001, to strengthen the capacity of national human rights institutions and to contribute to the successful establishment of the Network of National Institutions for the Promotion and Protection of Human Rights of the Americas; and

RECOGNIZING the important contributions that national institutions for the promotion and protection of human rights accredited by the ICC can make to the work of the Organization of American States in the promotion of human rights,

RESOLVES:

1. To welcome the efforts of the Network of National Institutions for the Promotion and Protection of Human Rights of the Americas ("Network of the Americas") to strengthen cooperation

among member institutions as well as with the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC) and other human rights bodies.

2. To facilitate, once the appropriate administrative and procedural requirements are in place, the participation of all national institutions for the promotion and protection of human rights from the member states, including those accredited by the ICC and the Network of the Americas, in the human rights activities of the organs, agencies, and entities of the Organization of American States, in particular, *inter alia*, by:

- a. Promoting opportunities for national institutions for the promotion and protection of human rights to share experiences, advice, and best practices, and to collaborate among themselves and with member states and organs, agencies, and entities of the Organization; and
- b. Allowing national institutions for the promotion and protection of human rights, the ICC, and the Network of the Americas to participate, provide input, and submit information and documentation under human rights-related agenda items of the Organization.

3. With a view to implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources, to request the Permanent Council to prepare a report, which includes administrative and procedural considerations, and, after discussion by the member states, to present it to the General Assembly at its thirty-ninth regular session.

AG/RES. 2422 (XXXVIII-O/08)

PROMOTION AND STRENGTHENING OF DEMOCRACY:
FOLLOW-UP TO THE INTER-AMERICAN DEMOCRATIC CHARTER

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

REAFFIRMING the provisions and essential purposes and principles identified in the Charter of the Organization of American States (OAS);

AWARE that the Charter of the Organization of American States establishes in its preamble “that representative democracy is an indispensable condition for the stability, peace and development of the region” and that one of the essential purposes of the Organization is “[t]o promote and consolidate representative democracy, with due respect for the principle of nonintervention”;

RECALLING that the Inter-American Democratic Charter states that “[t]he peoples of the Americas have a right to democracy and their governments have an obligation to promote and defend it” and that “[d]emocracy is essential for the social, political, and economic development of the peoples of the Americas”;

RECALLING ALSO that the Inter-American Democratic Charter reaffirms that the promotion and protection of human rights is a basic prerequisite for the existence of a democratic society, and recognized the importance of the continuous development and strengthening of the inter-American human rights system for the consolidation of democracy;

AWARE that Article 34 of the Charter of the Organization of American States establishes that “[t]he Member States agree that equality of opportunity, the elimination of extreme poverty, equitable distribution of wealth and income and the full participation of their peoples in decisions relating to their own development are, among others, basic objectives of integral development”;

RECOGNIZING that the Inter-American Democratic Charter establishes that “[e]ssential elements of representative democracy include, *inter alia*, respect for human rights and fundamental freedoms, access to and the exercise of power in accordance with the rule of law, the holding of periodic, free, and fair elections based on secret balloting and universal suffrage as an expression of the sovereignty of the people, the pluralistic system of political parties and organizations, and the separation of powers and independence of the branches of government”;

TAKING INTO ACCOUNT resolutions AG/RES. 2154 (XXXV-O/05), “Promotion of Regional Cooperation for Implementation of the Inter-American Democratic Charter”; AG/RES. 2251 (XXXVI-O/06), “Promotion of Regional Cooperation for Implementation of the Inter-American Democratic Charter on the Occasion of Its Fifth Anniversary”; and AG/RES. 2327 (XXXVII-O/07), “Promotion and Strengthening of Democracy: Follow-up to the Inter-American Democratic Charter”;

TAKING INTO ACCOUNT ALSO resolution AG/RES. 1957 (XXXIII-O/03), “Promotion and Strengthening of Democracy: Follow-up to the Inter-American Democratic Charter”;

HAVING SEEN the reports of the Permanent Council on the implementation of resolutions AG/RES. 2044 (XXXIV-O/04) and AG/RES. 2045 (XXXIV-O/04) (CP/doc.4024/05 and CP/CISC-182/05, respectively), resolution AG/RES. 2119 (XXXV-O/05), and the report of the Secretary General on the implementation of resolution AG/RES. 1993 (XXXIV-O/04) (CP/CISC-174/05) and the implementation of resolution AG/RES. 2327 (XXXVII-O/07);

NOTING that the Declaration of Mar del Plata, “Creating Jobs to Fight Poverty and Strengthen Democratic Governance,” adopted at the Fourth Summit of the Americas, reaffirmed the “commitment to fight poverty, inequality, hunger, and social exclusion in order to raise the standard of living of our peoples and strengthen democratic governance in the Americas”;

RECALLING that in the Declaration of Mar del Plata, the Heads of State and Government reiterated their “commitment to the OAS Charter and the Inter-American Democratic Charter” and reaffirmed their “resolve to strengthen their full and effective implementation”;

CONSIDERING that the Declaration of Nuevo León of the Special Summit of the Americas reaffirmed the Hemisphere’s commitment to democracy and reiterated the commitment to the full application of the Inter-American Democratic Charter, which constitutes an element of regional identity, and, projected internationally, is a hemispheric contribution to the community of nations; and also recognized that corruption and impunity weaken public and private institutions, erode social values, undermine the rule of law, and distort economies and the allocation of resources for development;

REAFFIRMING solidarity and inter-American cooperation as an effective means of promoting and strengthening democratic governance in the respective countries;

BEARING IN MIND the Declaration of Santiago on Democracy and Public Trust: A New Commitment to Good Governance for the Americas [AG/DEC. 31 (XXXIII-O/03)];

TAKING INTO ACCOUNT resolution AG/RES. 2195 (XXXVI-O/06), “Strengthening Political Parties and Other Political Organizations for Democratic Governance”;

CONSIDERING the report of the special meeting of the Permanent Council on “Civil Society and Strengthening a Democratic Culture,” held on March 14, 2008, as mandated by resolution AG/RES. 2327 (XXXVII-O/07);

RECALLING that the Declaration on Security in the Americas reaffirmed the commitment of states to full observance of the Inter-American Democratic Charter, its values, and its system for the protection of human rights, and recommended that action be taken to promote democratic culture in keeping with the provisions of the Inter-American Democratic Charter; and

NOTING the three forums on democratic stability organized by the OAS General Secretariat, held in Santo Domingo, Dominican Republic (June 2006), Santiago, Chile (January 2007), and Lima, Peru (December 2007),

RESOLVES:

1. To support member states in their efforts to strengthen democratic institutions, values, practices, and governance, to fight corruption, to enhance the rule of law, to bring about the full exercise of human rights, and to reduce poverty, inequity, and social exclusion.

2. To reaffirm that the promotion and protection of human rights is a prerequisite for a democratic society and that it is important to continue to develop and strengthen the inter-American human rights system.

3. To reaffirm, as applicable, the mandates contained in resolution AG/RES. 2327 (XXXVII-O/07), "Promotion and Strengthening of Democracy: Follow-up to the Inter-American Democratic Charter," and, in this context, to reiterate the request to the Secretary General to present a report to the Permanent Council on all cases in which action on his part is envisaged in the Charter of the Organization of American States (OAS) and the Inter-American Democratic Charter.

4. To recognize the importance of promoting the principles, values, and practices of a democratic culture; and to request the General Secretariat to continue supporting this objective through training programs to promote the principles, values, and practices of a democratic culture, on the basis of Articles 26 and 27 of the Inter-American Democratic Charter. In this context, to instruct the General Secretariat to continue supporting the Permanent Council and the member states in the execution of the Inter-American Program on Education for Democratic Values and Practices and its Plan of Action.

5. To reaffirm, as applicable, the mandates contained in resolutions AG/RES. 2154 (XXXV-O/05), "Promotion of Regional Cooperation for Implementation of the Inter-American Democratic Charter," and AG/RES. 2251 (XXXVI-O/06), "Promotion of Regional Cooperation for Implementation of the Inter-American Democratic Charter."

6. To instruct the General Secretariat to support programs designed to prevent and fight corruption, contributing to fostering accountability, efficiency, and integrity in the exercise of public service, with a view to strengthening a culture of transparency and ensuring more efficient public management.

7. To highlight the substantive contribution made by the Organization of American States to the strengthening and development of electoral processes and systems in the member states, through OAS Electoral Observation Missions, electoral advice, and technical cooperation, at the request of a member state and consistent with the Declaration of Principles for International Election Observation.

8. To request the General Secretariat to provide assistance to member states that so request in implementation of the recommendations contained in the reports of OAS Electoral Observation Missions.

9. To acknowledge the work carried out by the Inter-American Forum on Political Parties (FIAPP) and the General Secretariat; and to urge them to continue providing assistance to those member states and regional parliamentary bodies that so request and to convene a meeting of

the FIAPP to explore measures to strengthen political parties or a meeting of the Permanent Council to address these issues.

10. To recommend to the General Secretariat that it support the modernization and strengthening of democratic institutions in the member states that so request, and promote cooperation and dialogue among these institutions as a means to build capacity and share experiences.

11. To encourage member states to design and implement educational programs that promote a culture of dialogue and communication, as well as civic education programs that include concepts such as ethics, transparency, and public information, with a view to contributing to the strengthening of a democratic culture.

12. To request the General Secretariat and the member states to continue to promote a hemispheric discussion of issues related to democratic governance, through dialogue, forums, and seminars.

13. To recognize the important role of participation by civil society in the consolidation of representative democracy and that this participation constitutes one of the vital elements for the success of development policies; and, in that regard, to instruct the Permanent Council to convene a special meeting with civil society organizations, under the Guidelines for Participation by Civil Society Organizations in OAS Activities, adopted by the Permanent Council in resolution CP/RES. 759 (1217/99), to examine the contribution of these organizations to strengthening a democratic culture in the Hemisphere, pursuant to Article 26 of the Democratic Charter, as well as the themes, outcomes, and recommendations of the meetings held at the OAS in March 2008 with the theme "Partnering with Civil Society."

14. To request the General Secretariat to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2423 (XXXVIII-O/08)

INTER-AMERICAN PROGRAM ON EDUCATION
FOR DEMOCRATIC VALUES AND PRACTICES

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

HAVING SEEN resolutions AG/RES. 2320 (XXXVII-O/07), AG/RES. 2164 (XXXVI-O/06), AG/RES. 2119 (XXXV-O/05), AG/RES. 2045 (XXXIV-O/04), AG/RES. 2044 (XXXIV-O/04), AG/RES. 1960 (XXXIII-O/03), AG/RES. 1957 (XXXIII-O/03), AG/RES. 1907 (XXXII-O/02), AG/RES. 1869 (XXXII-O/02), CIDI/RME/RES. 12 (IV-O/05), and CIDI/RME/RES. 10 (III-O/03);

TAKING INTO ACCOUNT:

That, in the Charter of the Organization of American States (OAS), the member states reaffirm that the education of peoples should be directed toward justice, freedom, and peace, and pledge to give primary importance within their development plans to the encouragement of education oriented toward the integral improvement of the individual, and as a foundation for democracy, social justice, and progress;

That the Inter-American Democratic Charter recognizes that education is key to strengthening democratic institutions, promoting fulfillment of human potential, alleviating poverty, and fostering better understanding among peoples. To achieve these goals, it is essential that high-quality education be available for everyone, including girls and women, the inhabitants of rural areas, and members of minorities;

That, in the Declaration against Violence, adopted at the Second Meeting of Ministers of Education, held in Punta del Este, Uruguay, on September 24, 2001, the ministers pledged to emphasize nonviolence and the culture of peace in national and subregional initiatives for training and education in values, and to foster the preparation of a hemispheric program for education in democratic values;

That, in the Declaration of Santiago on Democracy and Public Trust: A New Commitment to Good Governance for the Americas, adopted by the General Assembly at its thirty-third regular session, in June 2003, the ministers of foreign affairs of the member states of the OAS declared that “[t]he consolidation of democracy in the region requires a culture based on profound democratic principles and values and on their daily observance. These values should be fostered through education for democracy”; and

That, in the Declaration of Mexico, adopted at the Third Meeting of Ministers of Education, held in Mexico City from August 11 to 13, 2003, the ministers recognized “the importance of instilling democratic awareness, culture, and values in the present and future generations, and of the principles of the Inter-American Democratic Charter,” and urged that “efforts be made to incorporate those principles into our educational programs in accordance with the laws of each country”;

RECALLING:

That the Inter-American Program on Education for Democratic Values and Practices was adopted at the Fourth Meeting of Ministers of Education within the Framework of CIDI, held in Scarborough, Trinidad and Tobago, from August 10 to 12, 2005, and that implementation of the Program will be guided, as provided for therein, by an advisory group composed of education officials, academics, and civil society experts, as well as other appropriate interested parties;

That, in the Declaration of Mar del Plata of the Fourth Summit of the Americas, the Heads of State and Government express support for “the recommendations contained in the Declaration and Plan of Action of the Fourth Meeting of Ministers of Education,” and state that they will strive “for quality public education at all levels and promote literacy to ensure a democratic citizenry, foster decent work, fight poverty, and achieve greater social inclusion”; and

That, in the Hemispheric Commitment to Early Childhood Education, adopted at the Fifth Meeting of Ministers of Education within the Framework of CIDI, held in Cartagena de Indias, Colombia, from November 14 to 16, 2007, the ministers made reference to quality education for all that would, among other things, foster the development of factors relating to peace, development, and human rights, education in democratic values and practices, and protection of the environment, and undertook to “redouble our efforts to continue forging a democratic culture in our Hemisphere by implementing the Inter-American Program on Education for Democratic Values and Practices, emphasizing that the values and practices that foster peaceful coexistence begin to be formed in early childhood”; and

BEARING IN MIND:

The reports submitted by the Executive Secretariat for Integral Development (SEDI) to the Inter-American Council for Integral Development (CIDI) and to the Permanent Council on the design and execution of the Inter-American Program on Education for Democratic Values and Practices, in accordance with resolution AG/RES. 2320 (XXXVII-O/07);

The development of the various OAS initiatives aimed at young people, among them the Model OAS General Assembly for university students;

The launching of the Young Researchers Program designed to incorporate them into the activities of the Inter-American Program; the use of distance-learning materials for teachers on the Inter-American Democratic Charter in the National Program for Continuing Education and Training, 2008-2011, of the Ministry of Education of Peru; and the holding of the Second International Summit on Conflict Resolution Education: Youth and Conflict - Global Challenges, Local Strategies, held in Cleveland, Ohio, United States of America, in March 2008; and

That the substantive theme of the thirty-eighth regular session of the OAS General Assembly is “Youth and Democratic Values,” which points to the importance of promoting opportunities for youth to participate in a meaningful way in political, economic, and cultural affairs,

RESOLVES:

1. To underscore the importance of the Inter-American Program on Education for Democratic Values and Practices, which will help generate and provide information to strengthen democratic culture through formal and nonformal education, and promote active and genuine participation by young people in the decisions that affect them.

2. To acknowledge the progress made in implementing the Program, including the launching of the Inter-American Journal of Education for Democracy and the Report on Civic Education Policies in member countries, presented during the Fifth Meeting of Ministers of Education within the Framework of CIDI, held from November 14 to 16, 2007, in Cartagena de Indias, Colombia.

3. To request the Advisory Board of the Program, within its possibilities, to incorporate youth perspectives into the development of the Inter-American Program on Education for Democratic Values and Practices, in order to issue recommendations for permanent means of consultation with young people on the topics of democratic values and practices and on fostering youth participation in public policy management.

4. To instruct the General Secretariat to continue carrying out activities under the Program that can help achieve its purpose, such as the project on strengthening democratic values and practices for sustaining and strengthening democracy in Peru and Latin America, to be implemented in Peru and Colombia from 2008 to 2010; the course on democratic citizenship in the Caribbean a distance education course for educators now under way in the English-speaking Caribbean; and the design and execution of a course on evaluating civic education policies and programs, among others.

5. To request the General Secretariat to continue, through the Executive Secretariat for Integral Development (SEDI) and the Secretariat for Political Affairs, supporting the Permanent Council, the Inter-American Council for Integral Development (CIDI), and the member states in the ongoing design and implementation of the Inter-American Program on Education for Democratic Values and Practices, and to report thereon on a regular basis to CIDI and the Permanent Council.

6. To instruct the Inter-American Committee on Education (CIE) to follow up on implementation of the Inter-American Program on Education for Democratic Values and Practices, in collaboration with the Secretariat for Political Affairs and other pertinent bodies of the inter-American system.

7. To reaffirm support for the efforts of member states in the area of literacy training, taking into account the close link between these efforts and the Program's objectives.

8. To thank those member states those have contributed financial, logistical, and human resources for the Program's activities.

9. To invite member states and permanent observers, as well as individuals and national or international organizations, whether public or private, that wish to do so to make voluntary contributions to support the development and implementation of the Program.

10. To request the General Secretariat to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2424 (XXXVIII-O/08)

SUPPORT FOR THE STRENGTHENING OF POLITICAL STABILITY
AND FOR SOCIOECONOMIC DEVELOPMENT IN HAITI

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

RECOGNIZING that among the essential purposes set forth in the Charter of the Organization of American States (OAS) are to promote and consolidate representative democracy, with due respect for the principle of nonintervention; to promote, by cooperative action, the economic, social, and cultural development of the member states; and to eradicate extreme poverty, which constitutes an obstacle to the full democratic development of the peoples of the Hemisphere; and reaffirming its strong attachment to the sovereignty, independence, well-being, and prosperity of the people of Haiti;

UNDERSCORING that, according to the Inter-American Democratic Charter, “[d]emocracy and social and economic development are interdependent and mutually reinforcing”;

EMPHASIZING the need to support the Government and people of Haiti in accordance with the Declaration on Security in the Americas, which recognizes that “[r]epresentative democracy is an indispensable condition for the stability, peace, and development of the states of the Hemisphere” and that “the security of states of the Hemisphere is affected, in different ways, by traditional threats and the following new threats, concerns, and other challenges of a diverse nature: ... extreme poverty and social exclusion of broad sectors of the population, which also affect stability and democracy. Extreme poverty erodes social cohesion and undermines the security of states”;

RECALLING its resolutions, in particular resolution AG/RES. 2306 (XXXVII-O/07), and the report presented by the Secretary General to the Permanent Council on developments in the situation in Haiti (CP/doc.4253/08);

UNDERSCORING the positive change in the level of political stability, as well as progress in security and in macroeconomic performance, based on the Haitian Government’s efforts at inclusion and dialogue, with support from the OAS, the United Nations Stabilization Mission in Haiti (MINUSTAH), and other international organizations;

NOTING that these advances have not yet been reflected in the economic and social conditions of the majority of the population, and that this situation, together with weaknesses in job creation and worldwide price increases, threatens to adversely affect the durability of still fragile democratic achievements;

NOTING WITH SATISFACTION the adoption of the National Growth and Poverty Reduction Strategy Paper (DSNCRP), which provides a framework for government action for the design and implementation of development projects and for international cooperation;

CALLING UPON the international community, in particular international financial institutions and bilateral donors, to contribute as much as possible to finance implementation of that strategy;

UNDERSCORING the positive outcomes of the high-level mission to Port-au-Prince on April 24 and 25, 2008, to discuss the current food crisis with the Haitian Government and to explore short-term solutions as part of the international community's long-term commitment to Haiti; and

MINDFUL of the need for donors to review their practices for channeling international assistance in order to bring them into line with the priorities established by the Government, as outlined in the National Growth and Poverty Reduction Strategy Paper; and encouraging the rescheduling of an international conference to discuss Haiti's short-, medium- and long-term development strategies,

RESOLVES:

1. To reiterate its support for the efforts of the Government of Haiti to strengthen security in Haiti and promote economic growth with equity and poverty reduction; to underscore the paramount importance of the policy of inclusion and dialogue practiced by the Government of Haiti; and to encourage the consolidation of a peaceful environment conducive to a steady process of sustainable development.

2. To commend the progress made in the area of political stability and institution-building in Haiti, as well as the collaboration among the sectors of Haitian society, in order to preserve democratic achievements, further develop and consolidate democratic institutions of governance, and improve the socioeconomic conditions of the most vulnerable strata of the population.

3. To commend the adoption of the National Growth and Poverty Reduction Strategy Paper (DSNCRP), as well as the efforts to implement it as a framework for the social and economic policy of the Haitian Government and for international cooperation with Haiti. In that regard, to invite Haiti's partners, in particular the international financial institutions, to provide technical and financial support for implementation of the programs set out in that strategy.

4. To urge Haiti's partners, including the international financial institutions, to continue to coordinate with the Haitian Government, in support of the principles expressed in the Paris Declaration, on channels and procedures for the delivery of aid, in order to optimize results.

5. To encourage the Haitian authorities to organize as soon as possible elections to renew one third of the Senate, as well as indirect elections leading to the establishment of the Permanent Electoral Council, in order to establish all of the institutions mandated by Haiti's Constitution.

6. To support the resolve of the Government of Haiti to reform and reinforce state institutions, in particular, the justice system, the Haitian National Police, and the penitentiary system, so that Haiti will be in a better position to fight drug trafficking, combat corruption, control gang activities, increase government revenues, control the border area, ensure law and order, and provide basic services to the population, such as education and health care.

7. To acknowledge the continuing significant contribution of the United Nations Stabilization Mission in Haiti (MINUSTAH), in which several member states of the Organization of American States (OAS) are participating, to the ongoing improvement of security conditions, as part of the efforts to strengthen the political and institutional environment and improve the socioeconomic situation in Haiti.

8. To continue to support the Government of Haiti in the promotion of the disarmament of armed groups, the prevention and reduction of violence, and programs to teach nonviolence as an essential component of peace and lasting reconciliation in Haiti.

9. To pay tribute to the contributions of the Haiti Task Force as a tool for coordinating OAS programs in Haiti. To note with satisfaction the interest expressed by the OAS in Haiti through the visit, from February 14 to 17, 2008, of a delegation led jointly by the Chair of the Permanent Council and the Assistant Secretary General, and the high-level mission that visited Port-au-Prince on April 24 and 25, 2008, in which the Secretary General and the Assistant Secretary General participated.

10. To request the General Secretariat through the Haiti Task Force and other support mechanisms to:

- a. Pursue its efforts to support the Government of Haiti in the establishment of the Permanent Electoral Council;
- b. Continue supporting the Haitian authorities, in particular the National Identity Office, in the process of modernizing the civil registry;
- c. Strengthen its activities in the areas of tourism and trade promotion, and provide the Haitian Government with the necessary technical support for holding, on a date convenient for it, a forum on trade and investment, with a view to consolidating economic growth, stimulating job creation and wealth, and strengthening Haitian institutions involved in these sectors;
- d. Continue playing an increased role in resource mobilization for the benefit of Haiti and in the coordination of international cooperation with Haiti, including through established mechanisms for donor coordination and through applicable technology, in order to ensure better control of projects being implemented and enhance the capacity to produce required reports;
- e. Support the Haitian Government in the formulation of development policies, in coordination with the United Nations, the Caribbean Community (CARICOM), and other international institutions and agencies; and
- f. Continue providing its cooperation to the Drug Observatory in Haiti, in the form of technical and scientific training, with a view to

obtaining accurate and reliable information on the real situation in the country in this area.

11. To request the General Secretariat to submit an annual report to the Permanent Council on developments in the economic and social situation in Haiti, and a report to the General Assembly on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

12. To request the OAS Secretary General to forward this resolution to the Secretary-General of the United Nations.

AG/RES. 2425 (XXXVIII-O/08)

PROMOTION OF WOMEN'S HUMAN RIGHTS AND GENDER EQUITY AND EQUALITY

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

HAVING SEEN the report of the Secretary General on the implementation of the Inter-American Program on the Promotion of Women's Human Rights and Gender Equity and Equality (CP/doc.4298/08);

RECALLING:

That, through the adoption of the Inter-American Program on the Promotion of Women's Human Rights and Gender Equity and Equality (IAP) [AG/RES. 1732 (XXX-O/00)], the governments of the Hemisphere committed to developing decisive strategies to integrate a gender perspective in all spheres of public life as a way of attaining the ultimate goal of promoting and protecting women's human rights and gender equity and equality, and achieving equality of rights and opportunities between women and men;

That international forums such as the Summits of the Americas, the Special Conference on Security, held in Mexico, and the Summit of the Americas on Sustainable Development, held in Bolivia, have reiterated the mandate to promote gender equity and equality in all areas; and

That this year marks the eighth anniversary of the adoption by the General Assembly of the Inter-American Program on the Promotion of Women's Human Rights and Gender Equity and Equality, through resolution AG/RES. 1732 (XXX-O/00), of June 2000; and

CONSIDERING:

The mandate emerging from the aforementioned resolution for the Organization of American States (OAS) to facilitate the integration of a gender perspective into all the work of its organs, agencies, and entities, and to provide support to governments in the systematic compilation and dissemination of statistical data disaggregated by sex;

Resolutions AG/RES. 1777 (XXXI-O/01), AG/RES. 1853 (XXXII-O/02), AG/RES. 1941 (XXXIII-O/03), AG/RES. 2023 (XXXIV-O/04), AG/RES. 2124 (XXXV-O/05), AG/RES. 2192 (XXXVI-O/06), and AG/RES. 2324 (XXXVII-O/07), which took note of the reports presented by the Secretary General on compliance with the IAP, and, as reflected in those reports, of the results of the actions taken in this respect by the organs, agencies, and entities of the OAS; and

That, according to the report presented by the Secretary General (CP/doc.4298/08), in 2007 only 17 of the 43 areas or departments of the General Secretariat and two of its 28 national offices reported on integration of the gender perspective into their annual activities, which indicates that a fully satisfactory level of compliance has not been reached,

RESOLVES:

1. To take note of the Secretary General's seventh report on the implementation of the Inter-American Program on the Promotion of Women's Human Rights and Gender Equity and Equality (IAP), submitted in fulfillment of resolution AG/RES. 2324 (XXXVII-O/07); and to urge him to continue with its implementation.

2. To reaffirm its support for the work of the Inter-American Commission of Women (CIM) as the principal forum for generating hemispheric policy on gender equity and equality and the promotion of women's human rights; and to continue to support the CIM's efforts at follow-up and implementation of the IAP, including activities to continue promoting gender mainstreaming in the ministerial meetings on labor, justice, education, social development, science and technology, and sustainable development, in matters related to leadership, migration, conflicts and peacebuilding, and natural disasters, among others, as well as in the follow-up to the mandates of the Summits of the Americas process, in particular the Fourth Summit of the Americas.

3. Once again to request the Permanent Council, in fulfillment of the mandates handed down by this Assembly, the Summits of the Americas, and the IAP to:

- a. Continue its efforts to integrate a gender perspective into its resolutions, activities, and initiatives, as the case may be, to ensure that they benefit women and men on an equal and equitable basis; and
- b. Hold a meeting, in the first half of 2009, with the participation of the organs, agencies, and entities of the inter-American system, to exchange best practices and lessons learned in the implementation of the IAP.

4. To urge the member states to:

- a. Continue their efforts to develop public policies, strengthen institutional mechanisms for the advancement of girls and women, including young women, and enforce laws that promote respect for their human rights and gender equity and equality, including equal opportunity for women and men at all levels;
- b. Begin or continue, in accordance with their domestic law and as appropriate, to compile statistics and analyze data disaggregated by sex and race in all sectors, so as to better understand and address the differentiated impact of policies, programs, and projects on specific populations, among them girls and women, including young women; and
- c. Fulfill the mandates of the Fourth Summit of the Americas through:
 - i. The development of support programs that take into account the differentiated impact of labor and social policies on young people, women, and men and that can contribute to eliminating discrimination against women, including young women, in the

workplace and to increasing their full and equal access to decent, dignified, and productive work; and

- ii. The production and utilization of statistics disaggregated by sex and race, particularly in the labor area, for the development of labor policies based on gender equity and equality.

5. To urge the Secretary General to:

- a. Convene, in 2008, the Third Meeting of Ministers or of the Highest-Ranking Authorities Responsible for the Advancement of Women in the Member States and take the necessary action for it to be held;
- b. Continue, with support from the CIM, promoting and working on full implementation of the IAP so as to achieve integration of a gender perspective into all programs, activities, and policies of the Organization of American States (OAS);
- c. Continue working with the CIM to ensure integration of the gender perspective into the development of the programs and activities of all the organs, agencies, and entities of the Organization;
- d. Request the organs, agencies, and entities of the Organization that have not yet done so to include in their annual reports to the General Assembly their initiatives to mainstream the gender perspective into their policies, programs, projects, and activities; and to forward that information to the CIM so that it may be included in the annual report to the General Assembly that is drawn up pursuant to this resolution; and
- e. Hold, together with the Department of Human Resources and with support from the CIM, an OAS Gender Analysis Training Program, targeted especially at senior staff in management positions and new staff members, and prepare, with support from the CIM, a preliminary document containing a proposal to establish a mechanism for measurement and disaggregated statistical data to facilitate follow-up on the programs and activities of all the organs, agencies, and entities of the Organization.

6. To request the Permanent Council to report to the General Assembly at its thirty-ninth regular session, in coordination with the CIM, on the implementation of the Inter-American Program and of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2426 (XXXVIII-O/08)

ESTABLISHMENT OF THE LEGAL ASSISTANCE FUND OF
THE INTER-AMERICAN HUMAN RIGHTS SYSTEM

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

HAVING SEEN:

Resolutions AG/RES. 2075 (XXXV-O/05), “Strengthening of Human Rights Systems pursuant to the Plan of Action of the Third Summit of the Americas,” and AG/RES. 2220 (XXXVI-O/06), “Strengthening of Human Rights Systems pursuant to the Mandates Arising from the Fourth Summit of the Americas”; and

Resolutions AG/RES. 2128 (XXXV-O/05) and AG/RES. 2227 (XXXVI-O/06), “Observations and Recommendations on the Annual Report of the Inter-American Commission on Human Rights,” and AG/RES. 1918 (XXXIII-O/03) and AG/RES. 2223 (XXXVI-O/06), “Observations and Recommendations on the Annual Report of the Inter-American Court of Human Rights”;

BEARING IN MIND:

That the Charter of the Organization of American States (OAS) proclaims as one of the principles of the Organization respect for the fundamental rights of the individual without distinction as to race, nationality, creed, or sex;

That Article 44 of the American Convention on Human Rights establishes that any person or group of persons, or any nongovernmental entity legally recognized in one or more member states of the Organization, may lodge petitions with the Commission containing denunciations or complaints of violation of this Convention by a state party; and

That since 2001, when amendments were made to the rules of the organs of the inter-American human rights system, Article 23 of the Rules of Procedure of the Inter-American Court of Human Rights has granted *jus standi* to victims in the Court’s proceedings;

RECALLING that at the Third Summit of the Americas, held in Quebec City, in 2001, the Heads of State and Government of the Americas pointed to the need to continue promoting concrete measures to strengthen and improve the inter-American human rights system, particularly facilitation of the access of persons to this protection mechanism; and

CONSIDERING:

That there are a significant number of low-income victims who have no real access to the inter-American human rights system, given the considerable cost involved in litigation in that system;

That the purpose of the inter-American human rights system is to promote and protect the human rights of all the inhabitants of the Hemisphere, without exception; and

That member states should seek to support and strengthen mechanisms for access to the organs of the system by alleged victims and petitioners,

RESOLVES:

1. To request the Secretary General to establish a specific fund for voluntary contributions to be called the "Legal Assistance Fund of the Inter-American Human Rights System."

2. To agree that:

- a. The purpose of the Legal Assistance Fund of the Inter-American Human Rights System is to facilitate access to the inter-American human rights system by persons who currently lack the resources needed to bring their cases before the system;
- b. Financial management of the Legal Assistance Fund of the Inter-American Human Rights System shall be entrusted to the General Secretariat of the Organization of American States (OAS), and its financing and operations shall be governed by rules of procedure adopted by the Permanent Council, which shall contain clear accountability procedures;
- c. Approval of legal assistance shall be decided by the Inter-American Court of Human Rights and the Inter-American Commission on Human Rights (IACHR), as the case may be, in accordance with regulations that each of these institutions shall issue to that end; and
- d. The Legal Assistance Fund of the Inter-American Human Rights System shall have two separate accounts, named (i) Inter-American Court of Human Rights and (ii) Inter-American Commission on Human Rights. Contributions made to each of these two bodies in the system shall be deposited in the appropriate account. Contributions made without specifying which body they are for shall be construed as contributions to be split equally between the two.

3. To invite member states, permanent observers, and other donors, as defined by Article 74 of the General Standards to Govern the Operations of the General Secretariat and other rules and regulations of the Organization, to contribute to the Legal Assistance Fund of the Inter-American Human Rights System, as an effective demonstration of their commitment to the protection of human rights in the Hemisphere.

4. To urge the international financial agencies to contribute to the Legal Assistance Fund of the Inter-American Human Rights System as a demonstration of their commitment to democracy, development, and human rights in the Hemisphere, or to work together to obtain such contributions.

5. To recall that the operation of the Legal Assistance Fund of the Inter-American Human Rights System does not exonerate the OAS from its obligation to guarantee funding of the inter-American human rights system with resources from the Regular Fund.

6. To specify that contributions to the Legal Assistance Fund of the Inter-American Human Rights System shall not preclude other voluntary contributions or the establishment of other specific funds to finance the operations of the Inter-American Court of Human Rights and the Inter-American Commission on Human Rights or programs run by those institutions, or the Oliver Jackman Fund.

7. To establish that the Legal Assistance Fund of the Inter-American Human Rights System shall take effect once the Permanent Council has adopted its rules of procedure, after consulting the Inter-American Court of Human Rights and the Inter-American Commission on Human Rights, taking into account the observations made by civil society.

8. To request the General Secretariat to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2427 (XXXVIII-O/08)

APPOINTMENT OF WOMEN TO SENIOR MANAGEMENT POSITIONS
AT THE ORGANIZATION OF AMERICAN STATES

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

RECALLING resolutions AG/RES. 1627 (XXIX-O/99), AG/RES. 1790 (XXXI-O/01), AG/RES. 1872 (XXXII-O/02), AG/RES. 1954 (XXXIII-O/03), AG/RES. 1977 (XXXIV-O/04), AG/RES. 2096 (XXXV-O/05), AG/RES. 2191 (XXXVI-O/06), and AG/RES. 2335 (XXXVII-O/07), “Appointment of Women to Senior Management Positions at the Organization of American States,” in which it urged the Secretary General to establish as an objective that women should occupy 50 percent of posts in all categories of the system of the Organization of American States (OAS);

BEARING IN MIND Article 137 of the Charter of the Organization of American States (OAS), which states that the Organization does not allow any restriction based on race, creed, or sex with respect to eligibility to hold positions in the Organization and to participate in its activities; and Article 120 of the Charter and Article 37 of the General Standards to Govern the Operations of the General Secretariat, which stipulate that first consideration shall be given to efficiency, competence, and integrity in the recruitment of General Secretariat personnel, but that importance shall also be attached to the criterion of the widest possible geographic distribution in hiring personnel at all grade levels;

CONSIDERING that the Inter-American Program on the Promotion of Women’s Human Rights and Gender Equity and Equality, which was adopted by the General Assembly through resolution AG/RES. 1732 (XXX-O/00), calls for the OAS General Secretariat to “implement measures to ensure full and equal access by men and women to all categories of posts in the OAS system, particularly in decision-making positions”;

REAFFIRMING the commitments expressed at the highest levels at the Summits of the Americas and in other inter-American forums to promote gender equity and equality and women’s human rights by strengthening and fostering women’s full and equal participation in decision-making at all grade levels, women’s empowerment, and their equal opportunity to exercise leadership;

REAFFIRMING ALSO that the Declaration of Nuevo León recognized that “the empowerment of women, their full and equal participation in the development of our societies, and their equal opportunities to exercise leadership are fundamental for the reduction of poverty, the promotion of economic and social prosperity, and for people-centered sustainable development”;

RECALLING that in the Plan of Action of the Fourth Summit of the Americas (Mar del Plata, Argentina, 2005) the member states committed “to eliminate discrimination against women at work through, among other measures, the implementation of a range of policies that will increase women’s access to decent, dignified, and productive work, including policies addressing training and education and protection of the rights of women, as well as proactive policies to ensure that men and women enjoy equality in the workplace”;

ACKNOWLEDGING that ensuring equal opportunity for women—taking their diversity into account—in leadership and decision-making positions is only one important element of a continuum of actions, policies, and activities required to achieve gender equality in the workplace and improve gender mainstreaming throughout the OAS;

EMPHASIZING the importance of the need to effectively integrate gender-balance considerations throughout the human resource management policies of the OAS;

NOTING WITH SATISFACTION the advances made in meeting the goal of having women occupy 50 percent of posts at all levels, especially at those grade levels where the goal has been met or exceeded; and

AWARE that, despite this progress, the goal of 50/50 gender distribution in senior management positions has not been met,

RESOLVES:

1. To urge the Secretary General to:
 - a. Ensure, through the Department of Human Resources, that a human resource policy is developed and applied that is based on the principle of gender equity and equality;
 - b. Continue his work to establish policies of gender equality in the workplace and to make each manager accountable for the application of these policies;
 - c. Redouble his efforts to achieve, as a matter of priority, the goal of having women, including indigenous women, occupy 50 percent of posts at each grade level within the organs, agencies, and entities of the Organization of American States (OAS), particularly at the P-5 grade level and above, bearing in mind the application of the criteria of diversity and geographic distribution in professional positions; and
 - d. Appoint women as representatives and special envoys to represent the Secretary General in matters relating to all areas and sectors, and as heads of electoral observation missions.
2. To urge all member states to support the efforts of the Secretary General by identifying and submitting the candidacies of women to occupy positions of trust within the OAS, and to encourage more women to apply for vacant positions, which will have been widely publicized in all member states.
3. To call on the organs, agencies, and entities of the OAS to:
 - a. Redouble efforts to meet the goal of having women occupy 50 percent of posts at each grade level, particularly at the P-5 grade level and above, and to continue to accelerate their recruitment for vacant positions, taking into account the criteria of diversity and equitable geographic distribution; and

- b. Encourage specific activities to integrate the gender perspective into its work, according to the specific subject areas of the various departments and offices, as one of the measures for follow-up and strengthening of the project undertaken to these ends by the OAS General Secretariat.

4. To request the Secretary General to monitor closely the progress made by the organs, agencies, and entities of the Organization in meeting the goal of having women occupy 50 percent of posts at all grade levels and to keep the Permanent Council informed with respect to the implementation of this resolution, providing an annual update with relevant statistics from the Department of Human Resources and detailed information on the strategies and actions taken to implement this resolution and reach that goal.

5. To request the General Secretariat to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2428 (XXXVIII-O/08)

MODERNIZATION AND USE OF ELECTORAL TECHNOLOGIES IN THE HEMISPHERE

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

HAVING SEEN resolutions AG/RES. 2254 (XXXVI-O/06) and AG/RES. 2337 (XXXVII-O/07), “Modernization and Use of Electoral Technologies in the Hemisphere”;

BEARING IN MIND the Charter of the Organization of American States (OAS), which establishes in its preamble that representative democracy is an indispensable condition for the stability, peace, and development of the region, and that one of the essential purposes of the Organization is to promote and consolidate representative democracy, with due respect for the principle of nonintervention;

CONSIDERING that, according to the Inter-American Democratic Charter, the essential elements of representative democracy include, *inter alia*, respect for human rights and fundamental freedoms, access to and the exercise of power in accordance with the rule of law, and the holding of periodic, free, and fair elections based on universal suffrage and secret balloting as an expression of the sovereignty of the people;

RECALLING that, in the Plan of Action of the Third Summit of the Americas, the Heads of State and Government stated that they would “[c]ontinue to enhance electoral mechanisms, using information and communications technologies where possible, to effectively guarantee the impartiality, promptness and independent action of agencies, tribunals or other bodies responsible for the conduct, supervision and verification of elections at national and sub-national levels”;

CONSIDERING the reports of the various electoral observation and technical assistance missions, in particular their diverse recommendations on the need to improve electoral processes, which constitute an important contribution to strengthening democratic institutional systems, and the “Report: Best Practices in OAS Electoral Observation, 2004-2007” (CP/CG-1739/08 corr. 1), prepared by the OAS General Secretariat;

UNDERSCORING the advisability of reinforcing for these purposes, with support from the OAS, hemispheric cooperation and the exchange of experiences in the area of electoral technologies and related legislation;

NOTING the Conclusions and Recommendations of the Inter-American Meeting of Experts and Representatives of Electoral Bodies of the OAS member states, held in Caracas, Bolivarian Republic of Venezuela, on April 4, 2008 (ROEL/doc.3/08); and

BEARING IN MIND that the Fifth Inter-American Meeting of Electoral Authorities, held in Quito, Ecuador, on April 23 and 24, 2008, underscored the role played by electoral authorities in the application and implementation of political funding rules in election campaigns, as well as new tools for regulating political funding,

RESOLVES:

1. To underscore the efforts made by election officials in the member states to organize and administer elections, for the purpose of increasing the quality and transparency of their electoral processes, including the incorporation of new electoral technologies.
2. To underscore the decisive contribution by the Organization of American States (OAS), through electoral observation missions, advice, and assistance, to the holding of elections and the strengthening and development of electoral institutions and processes in the member states.
3. To urge the General Secretariat to support member states that so request, in such a way as to enable their electoral bodies to join together in a horizontal cooperation effort to adopt new electoral technologies under the auspices of the OAS, within the resources available.
4. To request the Secretariat for Political Affairs to maintain ongoing consultations with the member states on the priorities of their electoral bodies with respect to elections and the promotion of democracy.
5. To instruct the General Secretariat, through the Secretariat for Political Affairs, to do more to foster the generation of horizontal cooperation mechanisms for organizing electoral processes, including the adoption of new technologies, in order to assist member states that request such assistance.
6. To instruct the General Secretariat to work with member states that so request in training human resources in international electoral observation.
7. To underscore the advisability of promoting, for these purposes, cooperation and the exchange of experiences in the areas of electoral legislation and technologies, with other international and regional organizations.
8. To call upon member states, permanent observers, and other donors to make voluntary contributions to the activities proposed to implement and follow up on this resolution.
9. To instruct the General Secretariat to include in its activity reports on the promotion of democracy the progress made in carrying out this mandate.
10. To thank the National Electoral Council of the Bolivarian Republic of Venezuela for holding the Inter-American Meeting of Experts and Representatives of Electoral Bodies of the OAS member states. To request the Permanent Council to convene the Second Inter-American Meeting of Experts and Representatives of Electoral Bodies, to be held in Caracas, Bolivarian Republic of Venezuela, in 2009, for the purpose of once again exchanging experiences and best practices in the countries of the Hemisphere on, among other things, voter identification systems, voter registration procedures, and automated election systems. Its conclusions will be submitted to the Sixth Inter-American Meeting of Electoral Authorities.
11. To instruct the Secretariat for Political Affairs to support, through the Department of Electoral Cooperation and Observation, the preparation and holding of the Second Inter-American Meeting of Experts and Representatives of Electoral Bodies, referred to in the preceding paragraph.

12. To thank the Government of the Republic of Ecuador for holding the Fifth Inter-American Meeting of Electoral Authorities.

13. To request the Permanent Council to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2429 (XXXVIII-O/08)

HUMAN RIGHTS AND CLIMATE CHANGE IN THE AMERICAS

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

CONSIDERING that the international community has recognized the adverse effects of climate change at the international level, principally in the United Nations Framework Convention on Climate Change and the Kyoto Protocol thereto;

RECOGNIZING the autonomy and independence of the process of the United Nations Framework Convention on Climate Change and the Kyoto Protocol thereto, as the principal forum for consideration of the subject of climate change; and reaffirming the principles set forth in Article 3 of said Convention;

BEARING IN MIND that the Declaration of Santa Cruz + 10 reiterated “that human beings are at the center of concerns for sustainable development, that they are entitled to a healthy and productive life in harmony with nature, and that poverty alleviation is an integral part of sustainable development”;

TAKING INTO ACCOUNT:

The findings of the Fourth Assessment Report of the Intergovernmental Panel on Climate Change (IPCC) of the United Nations on the adverse effects of climate change, in connection, *inter alia*, with flooding risks and the dangers of sea-level rise; and

That the adverse effects of climate change might have a negative impact on the enjoyment of human rights;

BEARING IN MIND:

The Declaration of Santa Cruz + 10 of the First Inter-American Meeting of Ministers and High-Level Authorities on Sustainable Development, adopted in Santa Cruz de la Sierra, Bolivia, on December 5, 2006;

The Inter-American Program for Sustainable Development (2006-2009) (PIDS), adopted on the same occasion;

The American Declaration of the Rights and Duties of Man, the American Convention on Human Rights, the Additional Protocol to the American Convention in the Area of Economic, Social and Cultural Rights, “Protocol of San Salvador,” and other related human rights instruments; and

The Vienna Declaration and Programme of Action of the World Conference on Human Rights;

RECALLING:

That resolution AG/RES. 1674 (XXIX-O/99), "Climate Change in the Americas," instructed the Inter-American Council for Integral Development (CIDI), through its appropriate subsidiary bodies, to consult with member states on the ways and means of addressing climate change in the Americas within the Organization of American States (OAS);

That in resolution AG/RES. 1682 (XXIX-O/99), "OAS Natural Disaster Reduction and Response Mechanisms," the member states established the Inter-American Committee for Natural Disaster Reduction (IACNDR) and decided to "promote the exchange of technical and scientific personnel in the area of research into adverse events" that have a harmful socioeconomic and environmental impact on the countries of the Hemisphere;

That resolution AG/RES. 1736 (XXX-O/00), "The Socioeconomic and Environmental Impacts of Climate Change on the Countries of the Hemisphere," instructed the General Secretariat to seek to mobilize resources to assist member states in their efforts to adapt to climate change; and

That resolution AG/RES. 1821 (XXXI-O/01), "The Socioeconomic and Environmental Impacts of Climate Change on the Countries of the Hemisphere," reiterated its instruction to CIDI to keep this topic under review and instructed the Inter-American Agency for Cooperation and Development (IACD) to continue working with the General Secretariat to mobilize and obtain resources to assist member states in their efforts to mitigate the impact of climate change;

BEARING IN MIND resolutions AG/RES. 1819 (XXXI-O/01), "Human Rights and the Environment," and AG/RES. 1896 (XXXII-O/02) and AG/RES. 1926 (XXXIII-O/03), "Human Rights and the Environment in the Americas";

TAKING INTO ACCOUNT:

That the United Nations Commission on Human Rights adopted resolution 2005/60, "Human rights and the environment as part of sustainable development"; and

That the United Nations Human Rights Council adopted resolution 7/23, "Human rights and climate change";

CONSIDERING:

The importance of the cooperation activities carried out within the OAS to enable the most vulnerable states and populations to become more resilient to climate change, helping states in their efforts to adapt to climate change and mitigate natural disasters;

The commitments made by the Heads of State and Government to sustainable development, climate change, environmental protection, and protection of human rights in the region, as established in the Declarations and Plans of Action of the Summits of the Americas process at its four regular and two specialized summits;

The Declaration of Barbados and the Programme of Action for the Sustainable Development of Small Island Developing States, as well as the five-year review conducted at the United Nations in September 1999; and

The pertinent provisions of the declarations, resolutions, and programs of action adopted by major United Nations conferences, in particular the Rio Declaration on Environment and Development, the program known as Agenda 21, and the Johannesburg Declaration on Sustainable Development and its Plan of Implementation, with special emphasis on the consensus positions reached and the commitments made in the United Nations Framework Convention on Climate Change, the Kyoto Protocol, the Buenos Aires Plan of Action and the Buenos Aires Programme of Work on Adaptation and Response Measures, the Nairobi Work Programme on Impacts, Vulnerability and Adaptation to Climate Change, and the Bali Action Plan;

EMPHASIZING:

That economic and social development and environmental protection are interdependent pillars of sustainable development and that poverty eradication is a fundamental goal thereof; and

That climate change is a shared concern of all humankind, and that its effects have an impact on sustainable development and could have consequences for the full enjoyment of human rights; and

MINDFUL of the need for support from within the OAS for the efforts of member states in this area,

RESOLVES:

1. To reaffirm the commitment made in the various instruments, resolutions, and declarations on human rights, sustainable development, and climate change in the framework of the Organization of American States (OAS).

2. To pursue and step up the efforts being made from within the OAS to counter the adverse effects of climate change, and to increase the resilience and the capacity of vulnerable states and populations to adapt to the phenomenon of climate change.

3. To express an interest in the progress made in other spheres, in the global efforts to face climate change, in particular with regard to the exploration of possible links between climate change and human rights.

4. To instruct the Inter-American Commission on Human Rights (IACHR), with support from the General Secretariat, through the Executive Secretariat of the IACHR and the Department of Sustainable Development, to contribute, within its capacities, to the efforts to determine the possible existence of a link between adverse effects of climate change and the full enjoyment of human rights, seeking coordination to that end with the United Nations Human Rights Council and the Office of the United Nations High Commissioner for Human Rights, in consultation with the member states, the Intergovernmental Panel on Climate Change (IPCC), and the OAS Department of Sustainable Development.

5. To invite interested states to contribute to this process.

6. Also to invite civil society organizations to consider the possibility of providing inputs for the purposes envisaged in operative paragraph 2 of this resolution, in accordance with the Guidelines for Participation by Civil Society Organizations in OAS Activities.

7. To request the Permanent Council and the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI), with support from the General Secretariat and the Executive Secretariat of the IACHR, to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2430 (XXXVIII-O/08)

PROTOCOL OF SAN SALVADOR:
COMPOSITION AND FUNCTIONING OF THE WORKING GROUP TO EXAMINE
THE PERIODIC REPORTS OF THE STATES PARTIES

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.4820/08) and resolutions AG/RES. 2074 (XXXV-O/05), AG/RES. 2178 (XXXVI-O/06), and AG/RES. 2262 (XXXVII-O/07);

CONSIDERING the provisions of the American Convention on Human Rights, Chapter III of which refers to economic, social, and cultural rights;

UNDERSCORING the entry into force, in November 1999, of the Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights, "Protocol of San Salvador," and its ratification by 14 member states of the Organization of American States (OAS);

RECALLING that both the American Convention and the Protocol of San Salvador recognize that the essential rights of an individual are not derived from one's being a national of a certain state, but are based upon attributes of the human person;

RECALLING ALSO that, in Article 19 of the Protocol of San Salvador, the states parties undertake to submit, pursuant to the provisions of that article and the corresponding rules to be formulated for that purpose by the General Assembly, periodic reports on the progressive measures they have taken to ensure due respect for the rights set forth in said Protocol;

TAKING INTO ACCOUNT that resolution AG/RES. 2074 (XXXV-O/05) adopted the "Standards for the Preparation of Periodic Reports pursuant to Article 19 of the Protocol of San Salvador," that resolution AG/RES. 2178 (XXXVI-O/06) instructed the Permanent Council to make proposals as soon as possible, through the Committee on Juridical and Political Affairs, on the composition and functioning of the working group established to examine the national reports in accordance with the Standards, and that resolution AG/RES. 2262 (XXXVII-O/07) approved the composition and functioning of the Working Group to examine the national reports;

TAKING NOTE of the preliminary document entitled "Guidelines for Preparation of Progress Indicators in the Area of Economic, Social and Cultural Rights" (CP/doc.4250/07), presented to the Permanent Council by the Inter-American Commission on Human Rights (IACHR) in November 2007, in accordance with the mandate issued in resolution AG/RES. 2262 (XXXVII-O/07);

BEARING IN MIND the progress report presented by the IACHR in April 2008 and the Commission's stated intention to adopt a proposal on progress indicators at its regular session in July 2008; and

RECOGNIZING that the Plan of Action of the Fourth Summit of the Americas, held in Mar del Plata, Argentina, in November 2005, urged the member states to consider signing and ratifying, or acceding to, as the case may be, the Protocol of San Salvador, and to collaborate in the development of progress indicators in the area of economic, social, and cultural rights,

RESOLVES:

1. To reiterate the request to the Inter-American Commission on Human Rights to continue its work aimed at proposing to the Permanent Council, no later than August 2008, the progress indicators to be used for each group of protected rights on which information is to be provided, taking into account, *inter alia*, the contributions of the Inter-American Institute of Human Rights and of the member states. The Permanent Council will consider and possibly adopt those progress indicators during the second half of 2008.

2. To reiterate the importance of constituting as soon as possible the Working Group to examine the national reports, which is to begin its work with the consideration and adoption of its rules of procedure.

3. To delegate to the Permanent Council the election of the government experts to make up the aforementioned Working Group and to authorize the Secretary General to appoint the independent expert and his or her alternate at the same time.

4. To reiterate that the time periods envisaged in resolution AG/RES. 2074 (XXXV-O/05) for submission of the national progress reports to be presented by the states parties to the Protocol of San Salvador will not begin to run until the progress indicators have been approved.

5. To create a specific fund for voluntary contributions managed by the General Secretariat called the "Specific Fund for the Working Group to Examine the Periodic Reports of the States Parties to the Protocol of San Salvador," in order to supplement financing for the activities of the Working Group and its Technical Secretariat and in accordance with Article 74 of the General Standards to Govern the Operations of the General Secretariat.

6. To urge member states to consider signing and ratifying, ratifying, or acceding to, as the case may be, the Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights, "Protocol of San Salvador."

7. To request the Permanent Council to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2431 (XXXVIII-O/08)

PREVENTING CRIME AND VIOLENCE IN THE AMERICAS

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

RECOGNIZING WITH CONCERN the negative impact of crime and violence on the quality of life in our member states;

NOTING that the World Health Organization's World Report on Violence^{1/} and Health (2002), while recognizing that the multifaceted nature of violence requires the engagement of government and stakeholders at all levels of decision making—local, national and international—has additionally outlined concrete recommendations which reflect the need for multisectoral and collaborative approaches in countering societal violence;

RECALLING that the Joint Report by the United Nations Office on Drugs and Crime and the Latin America and the Caribbean Region of the World Bank, Report No. 37820 (2007), addresses crime and violence as a development issue, implicates narcotics trafficking as a strong determinant of crime and violence, advocates the public health approach in conjunction with citizen security approaches to its solution, and, while recognizing the necessity for a criminal justice-focused approach in particular circumstances, cautions against an overreliance on this latter approach;

BEARING IN MIND the Ministerial Declaration on Violence and Injury Prevention in the Americas, adopted in Mérida, Mexico, on March 14, 2008, in which the ministers of health of the Americas committed to increase efforts to prevent violence and injuries through actions for the promotion of health within a broad perspective of safe, healthy, and sustainable environments, and to develop, implement, and evaluate national plans for violence and injury prevention in each country;

UNDERSTANDING that the public health approach does not replace criminal justice and human rights responses to violence but rather complements their activities and offers them additional tools and sources of collaboration;

AWARE that crime and violence in our Hemisphere has direct and indirect implications for the social, economic, and political development of our states;

RECOGNIZING that crime is manifested in numerous and diverse forms, including through trafficking in drugs, persons, and firearms, money laundering, corruption, kidnapping, robbery, and larceny;

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1. The World Health Organization defines violence as the intentional use of physical force or power, threatened or actual, against oneself, another person, or against a group or community that either results in or has a high likelihood of resulting in injury, death, psychological harm, maldevelopment, or deprivation.

RECOGNIZING ALSO that violence may manifest itself at different levels, including individual, relationship, and community;

AFFIRMING that violence limits the enjoyment and exercise of human rights and fundamental freedoms;

RECOGNIZING that preventing violence and combating crime in the Americas must be accomplished with full respect for, and protection of, human rights;

BEARING IN MIND the need to strengthen cooperation and support for countries of the region that request them in order to combat crime and violence by adopting strategies that emphasize the role of prevention at its various levels and by effectively enforcing their laws; and

RECOGNIZING that the Inter-American Coalition for the Prevention of Violence (IACPV), whose Pro Tempore Secretariat currently falls to the General Secretariat of the Organization of American States (OAS), was established to act as a catalyst for the prevention and reduction of the high levels of violence in the Americas,

RESOLVES:

1. To request the General Secretariat to deepen and widen its collaboration on violence prevention initiatives with international organizations, and to collect, examine, and distribute information to member states on crime and violence prevention initiatives.
2. To request the General Secretariat to promote the important role of prevention measures to accompany more traditional law enforcement efforts when considering the expansion of its programs to provide, when member states so request, technical and legal assistance in sensitizing and training government authorities in innovative methods, within the rule of law, for preventing and combating crime and violence in all their manifestations.
3. To instruct the General Secretariat to support initiatives by member states in actions aimed at preventing and comprehensively addressing the phenomenon of violence in its diverse forms and specific manifestations, and to keep the Committee on Hemispheric Security (CSH) informed of all such ongoing and planned initiatives.
4. To request the CSH to hold, in the first quarter of 2009, a meeting, that includes the participation of experts appointed by the member states, on matters relating to the prevention of crime and violence.
5. To request the Permanent Council and the General Secretariat to report to the General Assembly at its thirty-ninth and fortieth regular sessions on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2432 (XXXVIII-O/08)

PREVENTION AND ERADICATION OF COMMERCIAL SEXUAL EXPLOITATION AND
SMUGGLING OF AND TRAFFICKING IN MINORS

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

CONSIDERING that, in the Charter of the Organization of American States (OAS), the member states reaffirm that the education of peoples should be directed toward justice, freedom, and peace, and encourages the strengthening of the civic conscience of the American peoples, as one of the bases for the effective exercise of democracy and for the observance of the rights and duties of persons;

UNDERSCORING:

The importance that all children of school age have access to education, and the importance of programs that foster retention of the student population in the school system and prevent their dropping out;

That resolution AG/RES. 2240 (XXXVI-O/06) specifically includes the Inter-American Children's Institute (IIN) in the request that work be continued in coordination with other organs and agencies of the OAS on this subject and on the draft on the smuggling of and trafficking in women and children for purposes of sexual exploitation in the Americas, and requests its cooperation in the preparation of studies;

That the aforementioned resolution takes into account the Conclusions and Recommendations of the First Meeting of National Authorities on Trafficking in Persons, held on Isla Margarita, Bolivarian Republic of Venezuela, from March 14 to 17, 2006, which recall "the governments' commitment to improve their capacity to identify, investigate, prosecute, and punish those responsible for trafficking in persons, especially in women and children, and to provide due assistance and protection to the victims"; and

Resolution AG/RES. 2348 (XXXVII-O/07), "Hemispheric Cooperation Efforts to Combat Trafficking in Persons and Second Meeting of National Authorities on Trafficking in Persons," which stated that "poverty, inequity, and social exclusion in the Hemisphere are factors that make people, especially women and children, more vulnerable to becoming victims of traffickers, who often belong to organized criminal groups operating at both domestic and transnational levels";

BEARING IN MIND that the Directing Council of the (IIN) adopted the Strategic Plan 2005-2008 and the new Action Plan 2007-2011, which refocus the work of the Institute to meet current challenges facing society;

RECALLING:

The resolutions adopted by the Directing Council of the IIN on the prevention and eradication of child commercial sexual exploitation and the smuggling of and trafficking in minors, the most recent of which was resolution CD/RES. 10 (82-R/07), adopted at the 82nd Regular Meeting, held on July 26 and 27, 2007, in Cartagena de Indias, Colombia; and

That said resolution established the “Inter-American Program for the Prevention and Eradication of Commercial Sexual Exploitation and Smuggling of and Trafficking in Children,” entrusted the Director General of the IIN with developing a joint work proposal within the framework of that initiative, and supported the creation of an observatory on this matter; and

RECOGNIZING:

The progress already made in the IIN in fulfillment of its own mandates in the framework of implementation of the Action Plan 2007-2011, which has been reported in the Institute’s annual reports to the General Assembly and to the Permanent Council; and

That the OAS General Secretariat has been implementing programs to combat trafficking in persons for several years and has staff dedicated to this endeavor,

RESOLVES:

1. To note with satisfaction the decision of the Directing Council of the Inter-American Children’s Institute (IIN) to instruct the Director General of the Institute to develop an “Inter-American Program for the Prevention and Eradication of Commercial Sexual Exploitation and Smuggling of and Trafficking in Children.”

2. To entrust the Secretary General with coordinating the development of this program directly with the IIN, the Anti-Trafficking in Persons Section of the Secretariat for Multidimensional Security, and, where appropriate, the Executive Secretariat for Integral Development (SEDI), and additionally with receiving support and advice from other competent organs and agencies of the Organization of American States (OAS).

3. To request the IIN to provide advice to the member states, upon request, in their efforts to adopt or amend domestic legislation, regulations, and procedures to combat commercial sexual exploitation and smuggling of and trafficking in minors, including legislation dealing with travel authorizations and migration control.

4. To recommend the establishment of a Specific Fund to finance the “Observatory on Prevention and Eradication of Commercial Sexual Exploitation and Smuggling of and Trafficking in Minors.”

5. To invite member states, permanent observers, international financial institutions, regional and subregional organizations, and civil society organizations to contribute to financing this program.

6. To urge member states to consider signing and ratifying, ratifying, or acceding to, as the case may be, the international instruments relating to the fight against commercial sexual exploitation of minors and against the smuggling of and trafficking in minors in the Hemisphere, among them the Convention on the Rights of the Child (adopted in 1989); the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (adopted in 2000); the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (adopted in 2000), the Convention on the Civil Aspects of International Child Abduction (adopted in 1980); the Inter-American Convention on International Traffic in Minors (adopted in 1994); and the Inter-American Convention on the International Return of Children (adopted in 1989); and to urge states parties to take the necessary measures to guarantee the rights contained in those instruments.

7. To request the IIN to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2433 (XXXVIII-O/08)

PROMOTION OF AND RESPECT FOR INTERNATIONAL HUMANITARIAN LAW

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

RECALLING resolutions AG/RES. 1270 (XXIV-O/94), AG/RES. 1335 (XXV-O/95), 1408 (XXVI-O/96), AG/RES. 1503 (XXVII-O/97), AG/RES. 1565 (XXVIII-O/98), AG/RES. 1619 (XXIX-O/99), AG/RES. 1706 (XXX-O/00), AG/RES. 1709 (XXX-O/00), AG/RES. 1770 (XXXI-O/01), AG/RES. 1771 (XXXI-O/01), AG/RES. 1904 (XXXII-O/02), AG/RES. 1944 (XXXIII-O/03), AG/RES. 2052 (XXXIV-O/04), AG/RES. 2127 (XXXV-O/05), AG/RES. 2226 (XXXVI-O/06), AG/RES. 2231 (XXXVI-O/06), and AG/RES. 2293 (XXXVII-O/07);

RECALLING ALSO that, under the Charter of the Organization of American States (OAS) and pursuant to all applicable provisions of international humanitarian law and international human rights law within their respective spheres of application, human rights and fundamental freedoms must always be respected, including in situations of armed conflict;

DEEPLY CONCERNED about the persisting violations of international humanitarian law that continue to cause suffering to all victims of armed conflict;

ACKNOWLEDGING the Report of the Secretary-General of the United Nations General Assembly pursuant to the mandate in United Nations General Assembly resolution 61/89, of December 6, 2006, entitled "Towards an arms trade treaty: establishing common international standards for the import, export and transfer of conventional arms," and the work done by the group of governmental experts, within that framework and pursuant to the mandate in the same resolution, to seek the views of member states on the feasibility, scope, and parameters for a comprehensive, legally binding draft instrument on trade in conventional weapons;

RECALLING that it is the obligation of all member states, in all circumstances, to respect and ensure respect for the 1949 Geneva Conventions, and that the principles set forth therein are also binding on all parties to an armed conflict;

CONSIDERING that international humanitarian law contains provisions that reflect customary international law which states must observe;

EMPHASIZING that in cases of serious violations of international humanitarian law constituting crimes under international law, states have the duty to investigate and, if there is sufficient evidence, the duty to submit to prosecution the person allegedly responsible for the violations and, if said person is found guilty, the duty to punish him or her, in order to prevent impunity and future violations;

EMPHASIZING ALSO the obligation of states to take all necessary measures, including, when applicable, penal sanctions, for the suppression of other breaches;

UNDERSCORING the need to strengthen the rules of international humanitarian law by means of their universal acceptance, their broader dissemination, and the adoption of national measures for their effective application;

NOTING WITH SATISFACTION the universal adoption of the four 1949 Geneva Conventions on the protection of victims of war, to which 194 states are parties to date;

RECALLING that 33 and 32 OAS member states, respectively, are parties to Additional Protocols I and II thereto, of 1977;

URGING member states to become parties to Additional Protocol III to the Geneva Conventions of 1949, which was adopted in 2005 and has been in force since 2007, regarding the adoption of the Red Crystal as an additional distinctive emblem to the Red Cross and Red Crescent, taking into account that several states in the region have already done so;

RECALLING that 11 member states have issued the declaration envisioned in Article 90 of Additional Protocol I, of 1977, on recognition of the competence of the International Humanitarian Fact-Finding Commission;

AWARE of the Hemisphere's rich cultural heritage, which contains cultural assets recognized by the United Nations Educational, Scientific and Cultural Organization (UNESCO) as world heritage, and which could benefit from the systems for the promotion and protection of international humanitarian law;

RECALLING that the International Convention for the Protection of All Persons from Enforced Disappearance, adopted on December 20, 2006, by the General Assembly of the United Nations, requires 20 ratifications to enter into force;

NOTING all of the international efforts under way to promote international instruments, including the possibility of their being legally binding, on the development, use, production, transfer, and stockpiling of cluster munitions;

RECALLING the 10th anniversary of the signing of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction (Ottawa Convention), on December 3 and 4, 1997;

RECOGNIZING the important advisory work of the national committees or commissions on international humanitarian law in support of the efforts of states in the area of promotion of and respect for that law through the adoption of national enacting measures, and that 17 member states of the Organization have such organizations;

NOTING the final declaration and the six resolutions adopted by the 30th International Conference of the Red Cross and Red Crescent, entitled "Together for Humanity," held from November 26 to 30, 2007; and the commitments made by the states of the Americas participating in the Conference;

NOTING ALSO the results achieved at the following meetings in which representatives of member states and OAS officials took part:

- a. The meetings of the Group of Governmental Experts of the High Contracting Parties to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects (CCW) of 1980, held in Geneva, Switzerland, from January 14 to 18, 2008, and from April 7 to 11, 2008;
- b. The various conferences on cluster munitions, held in Lima, Peru, from May 23 to 25, 2007; in Vienna, Austria, from December 5 to 7, 2007; and in Wellington, New Zealand, from February 18 to 22, 2008; and the Diplomatic Conference for the Adoption of a Convention on Cluster Munitions, held in Dublin, Ireland, from May 19 to 30, 2008, following up on the process that began with the Oslo (Norway) Conference on Cluster Munitions, on February 22 and 23, 2007;
- c. The Regional Seminar for Latin America and the Caribbean on Ensuring the Universality of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects (CCW) of 1980, held in Santo Domingo, Dominican Republic, on March 11 and 12, 2008;
- d. The First Latin American Regional Conference on Cluster Munitions, held in San José, Costa Rica, on September 4 and 5, 2007, and the Latin American and Caribbean Regional Conference on Cluster Munitions, held in Mexico City on April 16 and 17, 2008;
- e. The Regional Meeting of Governmental Experts on the Application of International Humanitarian Law in the Americas, held in Mexico City on August 6 and 7, 2007; and
- f. The meeting of legislators of the Central American region, Mexico, Panama, and the Dominican Republic on the incorporation of war crimes into international criminal law in commemoration of the 30th anniversary of the Additional Protocols of 1977 to the Geneva Conventions of 1949, held in San José, Costa Rica, on June 7 and 8, 2007;

WELCOMING the regional presentation of the International Committee of the Red Cross Study on Customary International Humanitarian Law, which took place on Bogotá, Colombia, in March 2008; and

EMPHASIZING the special role of the International Committee of the Red Cross (ICRC) as a neutral, impartial, and independent institution working to protect and assist the victims of armed conflicts and other situations of armed violence, as well as to promote respect for international humanitarian law and the principles underlying it,

RESOLVES:

1. To urge member states and the parties engaged in armed conflict to honor their obligations under international humanitarian law, including those pertaining to safeguarding the well-being and dignity of protected persons and property, and the proper treatment of prisoners of war.

2. To urge those member states that have not yet done so to consider becoming parties to the following treaties, among others:

- a. The Convention for the Protection of Cultural Property in Time of Armed Conflict (Hague Convention, 1954), and its 1954 and 1999 Protocols;
- b. The 1968 Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity;
- c. The 1972 Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (Biological Weapons Convention);
- d. The 1977 Protocols I and II Additional to the Geneva Conventions of 1949, as well as Additional Protocol III, of 2005, including the declaration contained in Article 90 of Additional Protocol I;
- e. The Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects (CCW) of 1980, including the amendment to Article 1 thereof, adopted in 2001, and the five protocols thereto;
- f. The 1989 Convention on the Rights of the Child and the 2000 Optional Protocol thereto on the involvement of children in armed conflict;
- g. The 1993 Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (Chemical Weapons Convention);
- h. The 1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction;
- i. The 1998 Rome Statute of the International Criminal Court;
- j. The 1997 Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA);
- k. The 1999 Inter-American Convention on Transparency in Conventional Weapons Acquisitions; and
- l. The 1994 Convention on the Safety of United Nations and Associated Personnel.

3. To invite member states to bring about the widest possible dissemination of the rules of international humanitarian law, in particular by incorporating them into military doctrine and manuals, so that armed forces will have the means and mechanisms necessary for their effective

application, and by making use of the pertinent media so that such law may be familiar to the civilian population.

4. To urge member states to adapt their criminal law in order to meet their legal obligations under the 1949 Geneva Conventions and, in the case of the states parties thereto, the 1977 Additional Protocol I thereto with respect to the definition of war crimes, the universal jurisdiction for these grave breaches, and the responsibility of superiors for the acts of their subordinates.

5. Also to urge member states that have not yet done so to adopt, in accordance with their internal law and pursuant to international law, legislative or other measures necessary to establish non-applicability of statutory limitations to the most serious violations of international humanitarian law constituting crimes under international law.

6. To invite member states that are parties to the Rome Statute to cooperate fully with the International Criminal Court and to define under their criminal law the crimes that are within its jurisdiction.

7. To call upon member states to enact laws to regulate the use of and to prevent and, when applicable, punish the misuse of the red cross, red crescent, and, where applicable, red crystal emblems, as well as their denominations, as established in relevant treaties.

8. To urge member states, in keeping with their obligations under international law, to adopt effective measures to prevent the disappearance of persons in cases of armed conflict or other situations of armed violence, to determine the fate of those who have disappeared, and to attend to the needs of their family members.

9. To encourage member states to ensure the adoption of the necessary measures and mechanisms to protect cultural property from the effects of armed conflict, in accordance with their international obligations, and in particular to give consideration to the adoption of preventive measures related to the preparation of inventories, the planning of emergency measures, the appointment of competent authorities, and the enactment of laws to ensure respect for such property.

10. To remind those member states that are parties to the 1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction of their obligation to prevent and suppress any activity prohibited therein when it is carried out by persons or in territory under their jurisdiction or control and of the importance of addressing the needs of victims of antipersonnel mines and, where appropriate, victims of explosive remnants of war, considering, as part of those needs, medical care, rehabilitation, and economic and social reintegration of the victims.

11. To urge member states to adopt legislative and other measures, including criminal legislation, to strengthen national institutions and coordination among national institutions, and regional and subregional cooperation, for implementation of the 1925 Geneva Protocol, the 1972 Biological Weapons Convention, and the 1993 Chemical Weapons Convention, *inter alia* by adopting or developing codes of conduct and of professional ethics for the scientific and industrial community, with the aim of preventing misuse in the context of advances in bioscience and biotechnology research, and considering national, regional, and international measures to improve biosafety and biosecurity, including laboratory safety and the security of pathogens and toxins.

12. To call upon member states to adopt all necessary measures to comply with their respective international legal obligations regarding the recruitment and use of children in armed forces or armed groups and to prevent their participation in hostilities, in accordance with recognized standards of international humanitarian law, international human rights law, and international refugee law.

13. To invite member states to step up their efforts to strengthen safeguards for civilians against the use and indiscriminate effects of arms and munitions in general, especially through the enactment of laws aimed at strengthening control over the illicit manufacturing of and trafficking in firearms and other related materials.

14. To invite member states to consider becoming parties to the Convention on Cluster Munitions, adopted at the Dublin Conference on May 30, 2008, which will be open for signature in Oslo beginning in December 2008, and to continue participating in other processes relating to the development, use, stockpiling, production, and transfer of cluster munitions, and to assistance to victims and the removal of such munitions to lessen their impact on civilian populations.^{1/}

15. To encourage member states to establish procedures for determining, when studying, developing, acquiring, or adopting a new weapon or new means or methods of warfare, whether using, manufacturing, stockpiling, exporting, or transferring them would be contrary to international humanitarian law, and, in that event, to prohibit their use by the armed forces and their manufacture for such purposes. Additionally, in such cases account will be taken of the international obligations assumed, as indicated in operative paragraph 11.

16. To encourage interested member states to continue to support the work of the Group of Governmental Experts established by United Nations General Assembly resolution 61/89, of December 6, 2006, so that it may continue to advance the study and negotiation of a comprehensive, binding draft instrument for the establishment of common international standards for the import, export, and transfer of conventional arms, and to gauge the interest of member states in such an instrument.

17. To invite member states to continue to support the work of national committees or commissions responsible for the dissemination and implementation of international humanitarian law; and to urge states where such bodies do not exist to consider establishing them, as a means of strengthening conflict prevention and the role those bodies play in times of peace.

18. To request the Inter-American Juridical Committee (CJI) to continue preparing and to propose model laws to support the efforts made to fulfill obligations under international humanitarian law treaties, on the basis of priority topics determined in consultation with the member states and the International Committee of the Red Cross (ICRC); to that end, member states are urged

1. The delegation of Brazil supports all initiatives aimed at strengthening already existing provisions in international humanitarian law that regulate the use of arms and the distinction between military and civilian targets. As regards cluster munitions, Brazil favors discussion of the topic within the framework of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects (CCW).

to forward to the CJI as soon as possible a list of such priority topics, to enable the Committee to carry out that mandate.

19. To express its satisfaction over the cooperation between the Organization of American States (OAS) and the ICRC in promoting respect for international humanitarian law and the principles that govern that law; and to urge the General Secretariat to continue to strengthen such cooperation.

20. To request the General Secretariat to continue organizing, within the framework of the Committee on Juridical and Political Affairs, through the Department of International Law of the Secretariat for Legal Affairs, and in coordination with the ICRC, courses and seminars for staff of the permanent missions of the OAS member states and for General Secretariat staff and the general public, in order to promote knowledge of and respect for international humanitarian law and related inter-American conventions, including measures for their effective implementation.

21. To instruct the Permanent Council to hold a special meeting with a high-level dialogue component, with support from the Department of International Law of the Secretariat for Legal Affairs and in cooperation with the ICRC, on topics of current interest in international humanitarian law, prior to the thirty-ninth regular session of the General Assembly.

22. To invite member states to continue, within the high-level dialogue of the special meeting and in pertinent forums, the discussion of topics of interest, such as the humanitarian consequences of cluster munitions, the participation of private sector security firms in armed conflicts, improvement of national committees on international humanitarian law, and other topics.

23. To request the Permanent Council to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2434 (XXXVIII-O/08)

RIGHT TO FREEDOM OF THOUGHT AND EXPRESSION
AND THE IMPORTANCE OF THE MEDIA

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.4820/08);

TAKING INTO ACCOUNT resolutions AG/RES. 2237 (XXXVI-O/06) and AG/RES. 2287 (XXXVII-O/07), “Right to Freedom of Thought and Expression and the Importance of the Media”;

UNDERSCORING the Declaration of Santo Domingo: Good Governance and Development in the Knowledge-Based Society [AG/DEC. 46 (XXXVI-O/06)], adopted on June 6, 2006;

RECALLING that the right to freedom of thought and expression, which includes the freedom to seek, receive, and impart information and ideas of all kinds, is recognized in Article IV of the American Declaration of the Rights and Duties of Man, Article 13 of the American Convention on Human Rights, the Inter-American Democratic Charter (including Article 4), the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and other international instruments and national constitutions, as well as in United Nations General Assembly resolution 59 (I) and resolution 104 of the General Conference of the United Nations Educational, Scientific and Cultural Organization (UNESCO);

RECALLING ALSO that Article IV of the American Declaration of the Rights and Duties of Man states that “[e]very person has the right to freedom of investigation, of opinion, and of the expression and dissemination of ideas, by any medium whatsoever”;

RECALLING FURTHER that Article 13 of the American Convention on Human Rights states that:

1. Everyone has the right to freedom of thought and expression. This right includes freedom to seek, receive, and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing, in print, in the form of art, or through any other medium of one’s choice.

2. The exercise of the right provided for in the foregoing paragraph shall not be subject to prior censorship but shall be subject to subsequent imposition of liability, which shall be expressly established by law to the extent necessary to ensure:

- a. Respect for the rights or reputations of others; or
- b. The protection of national security, public order, or public health or morals.

3. The right of expression may not be restricted by indirect methods or means, such as the abuse of government or private controls over newsprint, radio broadcasting frequencies, or equipment used in the dissemination of information, or by any other means tending to impede the communication and circulation of ideas and opinions.

4. Notwithstanding the provisions of paragraph 2 above, public entertainments may be subject by law to prior censorship for the sole purpose of regulating access to them for the moral protection of childhood and adolescence.

5. Any propaganda for war and any advocacy of national, racial, or religious hatred that constitute incitements to lawless violence or to any other similar action against any person or group of persons on any grounds including those of race, color, religion, language, or national origin shall be considered as offenses punishable by law;

BEARING IN MIND principles 10 and 11 of the Declaration of Principles on Freedom of Expression of the Inter-American Commission on Human Rights (IACHR), of 2000, which refer to the decriminalization of “*desacato*” (offensive expressions directed at public officials);

RECALLING the relevant volumes of the annual reports of the IACHR for 2004, 2005, 2006, and 2007 on freedom of expression, as well as the comments by member states during meetings at which said reports were presented;

TAKING INTO ACCOUNT resolutions 2004/42 and 2005/38, “The Right to Freedom of Opinion and Expression,” of the United Nations Commission on Human Rights; and

RECALLING the significance of the studies and contributions approved by UNESCO regarding the contribution of the media to strengthening peace, tolerance, and international understanding, to the promotion of human rights, and to countering racism and incitement to war,

RESOLVES:

1. To reaffirm the right to freedom of thought and expression and to call upon member states to respect and ensure respect for this right, in accordance with the international human rights instruments to which they are party, such as the American Convention on Human Rights and the International Covenant on Civil and Political Rights, *inter alia*.

2. To reaffirm that freedom of expression and dissemination of ideas are fundamental for the exercise of democracy.

3. To urge member states to safeguard, within the framework of the international instruments to which they are party, respect for freedom of expression in the media, including radio and television, and, in particular, respect for the editorial independence and freedom of the media.

4. To urge those member states that have not yet done so to consider signing and ratifying, ratifying, or acceding to, as the case may be, the American Convention on Human Rights.

5. To reaffirm that free and independent media are fundamental for democracy, for the promotion of pluralism, tolerance, and freedom of thought and expression, and for the facilitation of dialogue and debate, free and open to all segments of society, without discrimination of any kind.

6. To urge member states to promote a pluralistic approach to information and multiple points of view by fostering full exercise of freedom of thought and expression, access to the media, and diversity in the ownership of media outlets and sources of information, through, *inter alia*, transparent licensing systems and, as appropriate, effective regulations to prevent the undue concentration of media ownership.

7. To urge member states to consider the importance of including, in their domestic legal systems, rules about the establishment of alternative or community media and safeguards to ensure that they are able to operate independently, so as to broaden the dissemination of information and opinions, thereby strengthening freedom of expression.

8. To call upon member states to adopt all necessary measures to prevent violations of the right to freedom of thought and expression and to create the necessary conditions for that purpose, including ensuring that relevant national legislation complies with their international human rights obligations and is effectively implemented.

9. To urge member states to review their procedures, practices, and legislation, as necessary, to ensure that any limitations on the right to freedom of opinion and expression are only such as are provided by law and are necessary for respect of the rights or reputations of others or for the protection of national security, public order (*ordre public*), or public health or morals.

10. To recognize the valuable contribution of information and communication technologies, such as the Internet, to the exercise of the right to freedom of expression and to the ability of persons to seek, receive, and impart information, as well the contributions they can make to the fight against racism, racial discrimination, xenophobia, and related and contemporary forms of intolerance, and to the prevention of human rights abuses.

11. To request the Inter-American Commission on Human Rights (IACHR) once again to follow up on and deepen its study of the issues addressed in the relevant volumes of its 2004, 2005, 2006, and 2007 annual reports on freedom of expression, on the basis, *inter alia*, of the inputs on the subject that it receives from member states.

12. To invite member states to consider the recommendations concerning defamation made by the Office of the Special Rapporteur for Freedom of Expression of the IACHR, namely by repealing or amending laws that criminalize *desacato*, defamation, slander, and libel, and, in this regard, to regulate these conducts exclusively in the area of civil law.

13. To reiterate to the Permanent Council that, through its Committee on Juridical and Political Affairs, it is to hold a special two-day meeting to delve further into the existing international jurisprudence on the subject covered in Article 13 of the American Convention on Human Rights and include the following items on the agenda of that meeting:

- a. Public demonstrations as exercise of the right to freedom of expression; and
- b. The subject of Article 11 of the American Convention on Human Rights.

Invitees to the aforementioned meeting will include members of the Inter-American Court of Human Rights and of the Inter-American Commission on Human Rights, including the Special Rapporteur for Freedom of Expression, and experts from the member states, all for the purpose of sharing their experiences with these issues.

14. To take into consideration the findings of, and views expressed at, the Special Meeting on Freedom of Thought and Expression, held on February 28 and 29, 2008, in the framework of the Committee on Juridical and Political Affairs; and to request the Special Rapporteur of the IACHR to report on the conclusions and recommendations issued by the experts at that special meeting, in order to follow up on the matter.

15. To request the Permanent Council to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2435 (XXXVIII-O/08)

HUMAN RIGHTS, SEXUAL ORIENTATION, AND GENDER IDENTITY

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

REAFFIRMING:

That the Universal Declaration of Human Rights affirms that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set forth in that Declaration, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth, or other status; and

That the American Declaration of the Rights and Duties of Man establishes that every human being has the right to life, liberty, and the security of the person;

CONSIDERING that the Charter of the Organization of American States (OAS) proclaims that the historic mission of America is to offer to man a land of liberty and a favorable environment for the development of his personality and the realization of his just aspirations;

REAFFIRMING the principles of universality, indivisibility, and interdependence of human rights; and

NOTING WITH CONCERN acts of violence and related human rights violations perpetrated against individuals because of their sexual orientation and gender identity,

RESOLVES:

1. To express concern about acts of violence and related human rights violations committed against individuals because of their sexual orientation and gender identity.

2. To instruct the Committee on Juridical and Political Affairs (CAJP) to include on its agenda, before the thirty-ninth regular session of the General Assembly, the topic of "Human rights, sexual orientation, and gender identity."

3. To request the Permanent Council to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2436 (XXXVIII-O/08)

VOTE OF APPRECIATION TO THE PEOPLE AND GOVERNMENT OF COLOMBIA

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

CONSIDERING:

That the thirty-eighth regular session of the General Assembly of the Organization of American States was held in the Republic of Colombia from June 1 to 3, 2008, and noting the warm welcome extended by the people and Government of Colombia; and

That, during this regular session of the General Assembly, the delegations expressed their deep gratitude to His Excellency Fernando Araújo Perdomo, Minister of Foreign Affairs of Colombia, for the skill with which he steered the discussions, which led to the adoption of important declarations and resolutions on high-priority issues on the hemispheric agenda,

RESOLVES:

1. To express its appreciation to His Excellency Álvaro Uribe Vélez, President of the Republic of Colombia, and particularly to the people of Medellín, for their warm and generous hospitality and for the contribution they have made to the success of the thirty-eighth regular session of the General Assembly of the Organization of American States (OAS).

2. To convey its gratitude and congratulations to His Excellency Fernando Araújo Perdomo, Minister of Foreign Affairs of Colombia, for his able leadership as President of the thirty-eighth regular session of the General Assembly.

3. To express its appreciation and gratitude to Ambassador Camilo Ospina, Permanent Representative of the Republic of Colombia to the OAS, and to the members of the Permanent Mission of Colombia to the OAS; to Mrs. Adriana Mejía, Vice Minister of Multilateral Affairs at the Ministry of Foreign Affairs, and officials from the Colombian foreign ministry; to the municipal officials of Medellín; and to the departmental officials of Antioquia, whose efficiency, dedication, and professionalism contributed to the success of the thirty-eighth regular session of the General Assembly.

4. Additionally, to express regret for the tragic loss of human life that occurred recently in Comuna 13, Medellín, Department of Antioquia, as a result of the ravages of nature, and to offer its most sincere condolences to the victims and their families, as well as to the officials and people of Medellín.

AG/RES. 2437 (XXXVIII-O/08)

GUIDELINES FOR THE PROGRAM-BUDGET OF THE ORGANIZATION FOR 2009

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

HAVING SEEN:

The proposed program-budget of the Organization of American States (OAS) for fiscal year 2009, presented by the Secretary General on April 1, 2008 (AG/CP/INF.573/08 corr. 2);

The Annual Report of the Secretary General for 2007, issued on May 27, 2008 (AG/doc.4873/08);

The report by the Chair of the Subcommittee on Administrative and Budgetary Matters of the Preparatory Committee of the General Assembly on the proposed program-budget for 2009 (AG/CP/doc.753/08); and

The annual report of the Board of External Auditors (CP/doc.4310/08), presented to the Permanent Council on May 9, 2008;

RECALLING that the Secretary General, in his address to the Permanent Council in December 2005, defined four priority areas: human rights, democracy and good governance, integral development, and multidimensional security, and that these areas have since been known as “the four pillars” of the Organization;

NOTING that, at its thirty-fourth special session, the General Assembly, through resolution AG/RES. 1 (XXXIV-E/07), approved the methodology for calculating the scale of quota assessments to finance the Regular Fund of the Organization for 2009;

CONSIDERING:

That resolution AG/RES. 2353 (XXXVII-O/07) instructed the General Secretariat to submit to the Preparatory Committee a proposed program-budget for the Regular Fund for 2009, at a level for which the Secretary General can demonstrate available financing, but not to exceed US\$87.5 million;

That, in accordance with Articles 54 and 55 of the OAS Charter, the General Assembly approves the program-budget of the Organization and establishes the basis for setting the quota that each government is to contribute to the maintenance of the Organization, taking into account the ability to pay of the respective countries and their determination to contribute in an equitable manner;

That the Organization is mandated to give preference to priorities defined by its members, within the limits of its available resources;

That, pursuant to the salary policy of parity with the United Nations established in resolution AG/RES. 1319 (XXV-O/95) and Article 40 of the General Standards to Govern the Operations of the General Secretariat of the Organization of American States (General Standards), the Secretary General adjusted the General Secretariat's 2008 basic salary scales, and increased the post adjustment for the Washington, D.C., area; and

That, in accordance with Article 60.b of the OAS Charter, the Chair of the Subcommittee on Administrative and Budgetary Matters of the Preparatory Committee transmitted to the General Assembly a report on the proposed program-budget of the Organization for 2009 (AG/CP/doc.753/08), along with recommendations; and

BEARING IN MIND:

That, under Article 12.d of the General Standards, “[i]t is the responsibility of the Secretary General ... [t]o redistribute the functions of existing dependencies, incorporating some into others or dividing or subdividing them, whenever necessary for the greater efficiency of the services and better execution of the programs, provided that no increase in the expenditures budgeted for those services or programs is involved”;

That, on February 12, 2008, the Secretary General issued Executive Order No. 08-01, “Structure of the General Secretariat”;

That the General Assembly, convened in special session on March 26, 2008, adopted, in resolution AG/RES. 1 (XXXV-E/08), the provisions of Executive Order No. 08-01, which established the Secretariat for Legal Affairs and the Secretariat for External Relations;

That resolution AG/RES. 1 (XXXV-E/08), “Establishment of the Secretariat for Legal Affairs and the Secretariat for External Relations,” authorized the Secretary General to effect all the transfers of resources among the chapters of the Organization's 2008 program-budget that are needed in order to implement the establishment of the two new secretariats in line with the structure of the General Secretariat contemplated in Executive Order No. 08-01, on the understanding that the transfers shall not entail an increase in total budgetary outlays;

That Article 120 of the OAS Charter stipulates that in selecting the personnel of the General Secretariat, first consideration shall be given to efficiency, competence, and integrity; but at the same time, in the recruitment of personnel of all ranks, importance shall be given to the necessity of obtaining as wide a geographic representation as possible;

That the Secretary General is urged to continue his work to establish policies of gender equity and equality in the workplace and to make each manager accountable for the application of these policies;

That it is important to maintain a culture of austerity, efficiency, effectiveness, transparency, and prudence in the use, execution, and management of the Organization's resources;

That Article 90 of the General Standards stipulates the required information to be included in the proposed program-budget upon submission to the Preparatory Committee, and that it is necessary to allow member states the time to review and analyze the budget proposal; and

That on May 9, 2008, the Permanent Council agreed to include, in all resolutions that may have budgetary implications, a statement confirming the availability of resources required to fund the mandate, to wit:

“To request the (organ concerned) to report to the General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources,”

RESOLVES:

I. PROGRAM-BUDGET FOR 2009

1. To instruct the Permanent Council, through the Committee on Administrative and Budgetary Affairs (CAAP), to continue consideration of the proposed program-budget of the Organization of American States (OAS) for fiscal year 2009, and to instruct the CAAP to present a report thereon to the Council prior to September 15, 2008.

2. To instruct the Permanent Council to convene a special session of the General Assembly to be held prior to September 30, 2008, to approve the program-budget of the Organization for 2009, including its overall budget level, appropriations by chapter and subprogram, and sources of financing, and to establish the overall budget level for 2010.

II. GENERAL PROVISIONS

A. ADMINISTRATIVE AND FINANCIAL

Whereas the General Secretariat is instructed by the terms of this resolution to endeavor to obtain a balanced distribution of human and material resources among the priority areas of the Organization in accordance with its four pillars, it is further resolved:

1. Management reports

- a. To request the General Secretariat to present its administrative and financial management reports to the CAAP on a quarterly basis. These reports are intended to serve as a comprehensive management guide to the strategic allocation of resources and to report on the General Secretariat's compliance with mandates of the General Assembly that address policies affecting administration and management, as well as to show progress in attaining austerity, efficiency, effectiveness, transparency, and prudence in the use of the Organization's resources. The reports should include, *inter alia*, the following components:
 - i. A discussion and analysis of the report at the management level that summarizes the financial situation of the General Secretariat; and
 - ii. Detailed financial reports, including budgetary execution of the Regular Fund and the voluntary, specific, service (including indirect cost recovery – ICR), and trust funds.

- b. To request the General Secretariat to provide the following reports on a semiannual basis: reports on other administrative aspects of the General Secretariat, such as the impact of human resource policies on geographic representation and gender equity and equality; performance evaluations of General Secretariat staff; the human resource plan; post audits; personnel funded by specific funds; contracting mechanisms; travel expense control measures; and any others requested by the CAAP.
- c. To request the General Secretariat to provide the following reports on an annual basis: a comprehensive report regarding the resources allocated for compliance with the mandates of the member states of the Organization, listed by effective date, object of expenditure (e.g., travel, contracts), and responsible area of the Secretariat, taking into account the four pillars of the Organization; a report on the activities of the Offices of the General Secretariat in the Member States; a report on the income generated through the rental of conference rooms and the Hall of the Americas; and a report on fundraising for external resources to support the activities of the Organization and other contributions to building maintenance and improvements.

2. Quotas and statutory adjustments

- a. To instruct the Permanent Council to consider the recommendations of the Board of External Auditors, presented in document CP/doc.4310/08, with regard to the need for a periodic adjustment of quota income to the Organization's expenditure level.
- b. To request the General Secretariat to prepare, at the end of each fiscal period, beginning with 2008, a report containing the following information:
 - i. The fiscal year's actual disbursements for statutory adjustments of staff salaries implemented as a result of the Organization's use of "smart parity" (as reported in document CP/CAAP-2848/06 corr. 1), in accordance with the recommendations of the International Civil Service Commission;
 - ii. The variation between actual disbursements as per subparagraph (i) above and estimated costs of statutory adjustments of staff salaries; and
 - iii. Suggestions as to the manner in which to regularly address financing of the variations between real costs and estimated costs.
- c. To request the Permanent Council to consider, in a special meeting to be held prior to December 15, 2008, the information thus provided and to convene, prior to January 31, 2009, a special session of the General Assembly to adopt, if appropriate, those decisions that may be required.

3. Fundraising

- a. To request the General Secretariat to promote, through the Secretariat for External Relations and as part of its fundraising efforts, support for implementation of the mandates of the General Assembly.
- b. To request the General Secretariat to prepare and present to the Permanent Council a comprehensive fundraising strategy for the Organization that responds to the mandates and priorities of the OAS.

4. Payment of quotas

- a. To reiterate to member state governments the need to continue to pay their quotas and their arrears pursuant to resolution AG/RES. 1757 (XXX-O/00), "Measures to Encourage the Timely Payment of Quotas," as modified by resolution AG/RES. 2157 (XXXV-O/05).
- b. To extend the mandate of the Permanent Council to evaluate the existing measures and to consider new measures aimed at encouraging the timely payment of quotas, and to complete its report thereon for the General Assembly at its thirty-ninth regular session.

5. Fiscal year of the Organization

To request that the General Secretariat, along with the external auditors and the Board of External Auditors, examine the feasibility of establishing a new fiscal cycle for the budgetary and financial operations of the OAS and present a report with recommendations to the Permanent Council prior to the thirty-ninth regular session of the General Assembly.

6. Strategic planning and evaluation

To instruct the Secretary General:

- a. To pursue existing efforts to modernize the General Secretariat and to improve and promote a culture of austerity, efficiency, effectiveness, transparency, and prudence in the use of the resources of the General Secretariat's operations;
- b. To continue, in consultation with the member states, the implementation of a planning process that identifies strategic objectives, evaluates programs and projects that respond to the mandates issued by the political bodies, except those financed by the Special Multilateral Fund of the Inter-American Council for Integral Development (FEMCIDI), taking into account the comparative advantages of the Organization, and allocates available budgetary resources to achieve key OAS objectives;
- c. To present an annual report that provides a clear link between the use of resources and the results achieved in a manner that is useful to member states; and

- d. To request the Secretary General to conduct, in the second half of 2008 and in consultation with the member states, an evaluation of the indirect cost recovery policy for the purpose of assessing the impact and effectiveness of its application.

7. Human resource policies

To urge the Secretary General to continue implementing an action plan that modernizes human resource policies and that includes transparent hiring procedures, sound personnel management and performance evaluation methodology, trust appointments, and equitable geographic distribution, as well as gender balance at all levels of the OAS and to present a comprehensive report and recommendations to the Permanent Council by January 31, 2009.

a. Trust Appointments

- i. To request the Secretary General to study the General Secretariat's policy on trust appointments, placing particular emphasis on its applicability to director-level positions of a highly technical nature, where appointment through competition is more appropriate and in the best interests of the Organization.
- ii. To request the Secretary General to develop a succession plan for replacing or reappointing staff members to director-level positions to ensure continuity and consistency of service, and to present to the Permanent Council his recommendations for any necessary changes to the General Standards.

b. Geographic representation

To urge the Secretary General to continue to develop a human resource policy that fully takes into account the principle of geographic representation in accordance with Article 120 of the Charter of the Organization of American States.

c. Gender equity and equality

- i. To urge the Secretary General to continue the progress made in implementing gender equity and equality policies in the workplace and to make each Secretary and Director accountable for the application of these policies.
- ii. To urge the Secretary General to redouble his efforts to achieve the objective of having women occupy 50 percent of posts in each grade level in the OAS organs, agencies, and entities, in particular at the P-5 grade level and above, and to attain gender balance at all levels of the OAS.

d. Persons with disabilities

To request the Secretary General to promote human resource policies that are not discriminatory for reasons of disability and that ensure equal opportunity for all.

8. Offices of the General Secretariat in the Member States

Whereas the General Secretariat is instructed by the terms of this resolution to promote and maintain a culture of austerity, efficiency, effectiveness, transparency, and prudence in the use, execution, and management of OAS resources, it is further resolved:

- a. To request the Secretary General to ensure that each of the Offices of the General Secretariat in the Member States has reasonable staffing based on workload and objectives and is funded within available resources;
- b. To request the General Secretariat to continue the process of streamlining and improving the management, oversight, and internal control of the Offices of the General Secretariat in the Member States, and to ensure that these Offices work in a coordinated manner to increase their efficiency and capacity to deliver the mandates of the Organization and its attainment of the expected results;
- c. To request the General Secretariat to pursue partnership agreements with other local, regional, and international organizations to offer services and engage in cooperative endeavors with them and to collect fees for those services, and to further consider additional cooperative arrangements to reinforce and enhance the quality of services to be delivered to the member states; and
- d. To request the General Secretariat to submit to the Permanent Council by December 1 of each year a report containing a strategy and annual work plan for each Office. The report shall comply with the uniform guidelines established by the Secretary General and should indicate progress made in achieving the preceding year's objectives. In addition, it should lay out the objectives for the coming year. Where appropriate, the report should address any opportunities to consolidate the financial, human, and material resources in a way that may enhance OAS objectives.

9. Establishment of a structured budget-preparation process

- a. To request the General Secretariat to implement a budget-preparation process in order to conduct, prior to the start of the discussion and approval cycle of the proposed program-budget for 2010, the necessary consultations with the department heads and the member states in order to gather and present the data and reports that may be required at the onset of the cycle of meetings of the Subcommittee on Administrative and Budgetary Matters, and to present a preliminary budget outline to the CAAP by March 15, 2009.
- b. To reiterate to the General Secretariat the need to adhere strictly to the scheduled dates for presentation of the proposed program-budget and accompanying information, as required by Article 90 of the General Standards.
- c. To request the General Secretariat to examine the possibility of advancing the delivery date of the report of the Board of External Auditors to allow

member states to take it into consideration at the very beginning of the drafting process of the program-budget resolution.

10. Foundations created by the General Secretariat

- a. To instruct the General Secretariat to report to the Permanent Council on the foundations, nongovernmental organizations (NGOs), and other private entities created by the General Secretariat by providing a list of these as of December 31, 2008. This list should be presented to the Permanent Council by no later than May 1, 2009.
- b. To instruct the General Secretariat to inform the CAAP about the General Secretariat's participation in the creation of any new foundations, NGOs, and other private entities.
- c. To request the General Secretariat to review current procedures for its participation in the creation and support of foundations, NGOs, and other such entities, and to make appropriate amendments, if necessary, to carry out oversight processes of the General Secretariat's activities with those foundations, particularly when they use the name of the OAS to raise funds, and to present a report to the Permanent Council before the thirty-ninth regular session of the General Assembly.

11. Civil society organizations

To request the General Secretariat to continue providing to the CAAP a report on the foundations, civil society organizations, and other private entities that carry out projects with specific funds, and to provide details on their areas of activity.

12. Travel

To instruct the General Secretariat to reinforce the measures that ensure compliance with the rule established by the Permanent Council which requires that all tickets paid for by the Regular Fund, FEMCIDI, specific funds, and trust funds administered by the General Secretariat, be purchased in economy class, except for travel by the Secretary General, the Assistant Secretary General, and the Chair of the Permanent Council, and to report to the Permanent Council on a quarterly basis on any instances of noncompliance with that rule.

13. Conference and meeting services

- a. To reiterate to the General Secretariat the need to expand its review of the Organization's interpretation and translation services to include the whole area of conference and meeting services, and to present to the Permanent Council for consideration, through the CAAP, by September 30, 2008, a comprehensive plan that thoroughly analyzes current services and needs and makes recommendations as to the most efficient and cost-effective means of delivering these services, at headquarters and away from headquarters,

taking into consideration member states' requirements and overall needs and limitations of the Organization in fulfilling its mandates.

- b. To encourage the representatives of the member states who attend and/or who preside over meetings of the Permanent Council and its subcommittees and working groups, to observe the scheduled starting and ending times of the meetings, in order to maximize the use of interpretation services that are available during the meetings scheduled in the calendar of conferences, and in order to avoid paying for unused interpretation services for time periods scheduled for such meetings.
- c. To request the Secretary General to prepare reports on monetary losses incurred further to nonobservance of meetings' scheduled times and to report to the Permanent Council and all political bodies twice a year.

B. OTHER

14. Honoraria

To maintain the sum of US\$150 a day for the honoraria paid to members of the following bodies entitled to such payment: Administrative Tribunal, Board of External Auditors, Inter-American Commission on Human Rights, Inter-American Juridical Committee, and Inter-American Court of Human Rights.

15. Inter-American Commission on Human Rights

To extend the budgetary authorization to the Inter-American Commission on Human Rights to cover payments to members of the Commission for special services, in keeping with Article 21 of the Rules of Procedure of the Commission, up to a maximum of US\$1,000 per month per member. This budgetary measure shall be taken without prejudice to the right to the payment of honoraria, as provided by the General Assembly in paragraph II.B.14 of this resolution.

16. Inter-American Court of Human Rights

To extend the budgetary authorization to the Inter-American Court of Human Rights to cover the payment of emoluments to judges of the Court, set in accordance with Article 17 of the Statute of the Court, up to a maximum of US\$1,000 per month per judge. This budgetary measure shall be taken without prejudice to Article 26 of the Statute of the Court and without prejudice to the right to the payment of honoraria, as provided by the General Assembly in paragraph II.B.14 of this resolution.

17. Program-budget for 2010

- a. In accordance with Article 94 of the General Standards, the General Secretariat shall submit to the Preparatory Committee a proposed program-budget for the year 2010 that is consistent with the overall budget level approved by the General Assembly at the special session convened in the

second half of 2008 for the purpose of approving the program-budget of the Organization for 2009.

- b. The budget proposal for 2010 shall be consistent with the objective of maintaining a culture of austerity, efficiency, effectiveness, transparency, and prudence in the use, execution, and management of the Organization's resources.
- c. The total expenditure for object 1 should not exceed 64.38 percent of the 2010 Regular Fund program-budget, plus any statutory increases that may be required.
- d. To reiterate that all resolutions submitted to the General Assembly that require Regular Fund financing must be accompanied by a statement from the CAAP on the availability of funds.
- e. To request the General Secretariat to establish a mechanism by which resolutions that have financial implications and are being proposed to the General Assembly for action are considered by the CAAP in a timely manner.
- f. To acknowledge that the absence of such a mechanism presents difficulties in the process of planning, drafting, and approving the budget in an orderly and efficient manner.
- g. To entrust the Permanent Council with examining the possibility of establishing prudent time limits for the presentation and analysis of resolutions with budgetary implications that will allow the CAAP to advise whether these may be included in the budget to be submitted to the General Assembly at its thirty-ninth regular session and future sessions.

18. International Public Sector Accounting Standards

- a. To instruct the General Secretariat to continue studying the viability of implementing the International Public Sector Accounting Standards, starting with the fiscal year beginning on January 1, 2009, and in subsequent periods, and to report the General Secretariat's findings, conclusions, and recommendations to the Permanent Council through the CAAP. To that end, after consideration by the Permanent Council of the CAAP's recommendations, the Permanent Council is authorized to adopt, with immediate effect, such amendments to the General Standards as may be necessary, *ad referendum* of the General Assembly.
- b. To instruct the General Secretariat to take the necessary measures to ensure that financial and budgetary reports presented to the CAAP are consistent with the guidelines provided in the International Public Sector Accounting Standards.

- c. To instruct the General Secretariat to develop an appropriate mechanism to consult on this matter with the CAAP and to report periodically on the progress of this endeavor.

19. Cost-control measures

- a. To instruct the General Secretariat to intensify its ongoing initiative aimed at controlling operating expenditures. This initiative should identify all cost mitigation and cost reduction opportunities and determine specific cost-control measures in the use of meeting, conference, and office resources and/or the purchase of inputs and materials.
- b. To instruct the General Secretariat to highlight in the quarterly resource management reports presented to the Permanent Council examples of savings and efficiencies achieved through the implementation of these measures.

20. Communications strategy

To instruct the General Secretariat to formulate and implement a comprehensive communications strategy that showcases the Organization's activities and its results in an accessible, transparent, and up-to-date manner.

21. Integrated real property strategy

- a. To instruct the General Secretariat to propose a real property strategy and investment plan to maximize the potential of the real estate of the OAS. The plan should take into account the financing required for urgent repairs, maintenance, renovation, and management of the Organization's physical space.
- b. To develop a strategy to fund certain energy-efficient upgrades.
- c. To present a report and recommendations to the Permanent Council for consideration and decision by February 27, 2009.

THE ORGANIZATION OF AMERICAN STATES

The Organization of American States (OAS) is the world's oldest regional organization, dating back to the First International Conference of American States, held in Washington, D.C., from October 1889 to April 1890. At that meeting the establishment of the International Union of American Republics was approved. The Charter of the OAS was signed in Bogotá in 1948 and entered into force in December 1951. The Charter was subsequently amended by the Protocol of Buenos Aires, signed in 1967, which entered into force in February 1970; by the Protocol of Cartagena de Indias, signed in 1985, which entered into force in November 1988; by the Protocol of Managua, signed in 1993, which entered into force on January 29, 1996; and by the Protocol of Washington, signed in 1992, which entered into force on September 25, 1997. The OAS currently has 35 member states. In addition, the Organization has granted permanent observer status to 60 states, as well as to the European Union.

The essential purposes of the OAS are: to strengthen peace and security in the Hemisphere; to promote and consolidate representative democracy, with due respect for the principle of nonintervention; to prevent possible causes of difficulties and to ensure peaceful settlement of disputes that may arise among the member states; to provide for common action on the part of those states in the event of aggression; to seek the solution of political, juridical, and economic problems that may arise among them; to promote, by cooperative action, their economic, social, and cultural development; and to achieve an effective limitation of conventional weapons that will make it possible to devote the largest amount of resources to the economic and social development of the member states.

The Organization of American States accomplishes its purposes by means of: the General Assembly; the Meeting of Consultation of Ministers of Foreign Affairs; the Councils (the Permanent Council and the Inter-American Council for Integral Development); the Inter-American Juridical Committee; the Inter-American Commission on Human Rights; the General Secretariat; the specialized conferences; the specialized organizations; and other entities established by the General Assembly.

The General Assembly holds a regular session once a year. Under special circumstances it meets in special session. The Meeting of Consultation is convened to consider urgent matters of common interest and to serve as Organ of Consultation under the Inter-American Treaty of Reciprocal Assistance (Rio Treaty), the main instrument for joint action in the event of aggression. The Permanent Council takes cognizance of such matters as are entrusted to it by the General Assembly or the Meeting of Consultation and implements the decisions of both organs when their implementation has not been assigned to any other body; it monitors the maintenance of friendly relations among the member states and the observance of the standards governing General Secretariat operations; and it also acts provisionally as Organ of Consultation under the Rio Treaty. The General Secretariat is the central and permanent organ of the OAS. The headquarters of both the Permanent Council and the General Secretariat are in Washington, D.C.

MEMBER STATES: Antigua and Barbuda, Argentina, The Bahamas (*Commonwealth of*), Barbados, Belize, Bolivia, Brazil, Canada, Chile, Colombia, Costa Rica, Cuba, Dominica (*Commonwealth of*), Dominican Republic, Ecuador, El Salvador, Grenada, Guatemala, Guyana, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname, Trinidad and Tobago, United States, Uruguay, and Venezuela.

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